

FINANCIAL SERVICES AND GENERAL GOVERNMENT
APPROPRIATIONS BILL, 2009

DECEMBER 10, 2008.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. SERRANO, from the Committee on Appropriations,
submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 7323]

The Committee on Appropriations submits the following report in
explanation of the accompanying bill making appropriations for fi-
nancial services and general government for the fiscal year ending
September 30, 2009.

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INTRODUCTION TO THE FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS BILL

The programs funded within the Financial Services and General Government Appropriations Bill touch the lives of nearly every American.

- Anyone who completes a Federal income tax form relies on the Internal Revenue Service programs in this bill.
- Small business owners and their customers benefit from the Small Business Administration's activities to promote entrepreneurship and the growth of small enterprises.
- Consumers who are worried about dangerous toys and other products can turn to the Consumer Product Safety Commission for help in removing these products from the shelves.
- A citizen voting in a Federal election is more confident that his or her vote will be counted accurately because of the funding provided for Help America Vote Act programs.
- If an American walks into a Federal office building or courthouse, the chances are good that the building is there be-

cause of capital investments made by the General Services Administration.

- Federal civilian employees of the Executive and Judicial branches of government—roughly two million people—are directly affected by this bill in terms of their pay and work environment.

The list of examples goes on. Every agency funded by this bill has an important role in the basic operation of the United States Government. This bill can be referred to as the “good government bill” since the funding it provides is essential to meeting the high standards the American public should demand from its government.

Unfortunately, over the past several years, government services have become deficient in many respects. There is a lot of work to be done to correct the penurious fiscal policies that have hamstrung the government’s ability to fulfill important missions and serve the public. The American people deserve better. The fiscal year 2008 version of this bill began an effort to reverse this trend, and the fiscal year 2009 bill will continue with that effort. This bill will focus on supporting several programs and activities that are important to serving the American people, including programs relating to consumer protection, financial education and assistance, small business development, and the basics of good government services.

Consumer protection:

Consumer protection is one of the key areas of emphasis for this bill. Several agencies receive appropriations to support activities that safeguard consumers.

The Consumer Product Safety Commission (CPSC) is charged with reducing the unreasonable risk of injury associated with more than 15,000 consumer products. The CPSC announced 472 product recalls during fiscal year 2007, which included a number of well-publicized recalls of unsafe children’s products. However, the Commission’s effectiveness in recent years was hampered by the loss of staff and the lack of resources to support innovative information technology and product testing infrastructure. This severely limited the Commission’s capacity for early identification of product hazards, vigorous compliance activities, and dissemination of consumer information.

The fiscal year 2008 Financial Services appropriations bill provided a substantial (27.7 percent) increase in the CPSC’s budget to bring the Commission back on track. The Commission is expected to staff up to 444 positions by the end of fiscal year 2008, which will, among other things, substantially improve its ability to inspect imported products at our nation’s ports of entry. The upgrade of the Commission’s product testing laboratory will also be well underway. For fiscal year 2009, this bill continues the progress toward restoring the strength of the CPSC by providing an appropriation of \$100,000,000.

The Federal Trade Commission (FTC) is another agency with significant consumer protection responsibilities. The Commission actively fights and prosecutes financial fraud, including deceptive and unfair practices relating to subprime mortgage lending. The FTC also takes actions to enhance corporate data security, guard

against identity theft, and ensure privacy. Consumer privacy has become a major issue with the growth of Internet commerce, and the FTC should be working to increase consumer confidence that personal information transmitted over the Internet will not be used in illegal, intrusive, or inappropriate ways. In addition to its consumer protection mission, the FTC maintains a vigorous antitrust program. This program also benefits consumers by keeping prices low through the promotion of competition. Included in this bill is a fiscal year 2009 appropriation for the FTC of \$259,200,000.

Another regulatory agency with a consumer protection role is the Federal Communications Commission (FCC). The FCC oversees a rapidly changing and expanding telecommunications environment that determines how we use television, radio, the Internet, and telephones. Perhaps the most prominent example of how consumers are affected by the FCC relates to the upcoming switch from analog to digital signals for television broadcasting. The FCC has adopted rules and conducted consumer education programs to prepare the nation for the digital television transition. This effort must be expanded to ensure that all consumers are aware of their options leading up to the February 17, 2009 transition date. The FCC also acts to protect consumers from privacy violations such as the unauthorized use of phone records. To help expand all of these consumer-related activities, this bill includes a funding increase of \$25,875,000 over the current fiscal year.

Investor protection needs to be strengthened along with other forms of consumer protection. The Securities and Exchange Commission (SEC) oversees over 10,000 publicly traded companies, about 10,800 investment advisers, and roughly 6,000 broker dealers. A major function of this oversight is the promotion of confidence in the nation's capital markets. If investors lose confidence in these markets, they will not function successfully. The SEC's investigation and enforcement activities are essential to assuring investors that the markets are fair. This bill includes \$928,000,000 for the SEC.

Financial education and assistance:

This bill works to promote financial education and assistance in a number of ways. Programs supporting financial literacy and education, assistance to taxpayers, and financial services to disadvantaged communities are among the efforts funded within this bill.

Financial literacy: Funding is provided for the Office of Financial Education at the Department of the Treasury, which works to promote nationwide access to financial education tools related to saving, credit management, home ownership and retirement planning. It also coordinates the activities of the Financial Literacy and Education Commission, chaired by the Secretary of the Treasury and comprised of representatives from 20 Federal departments, agencies, and commissions. The Financial Literacy and Education Commission is involved in developing the Federal Government's National Strategy for Financial Literacy.

The bill also funds the SEC's investor education programs, which are implemented through the Commission's Office of Investor Education and Outreach. This Office distributes information, participates in educational events, and performs related tasks designed to increase investors' ability to make informed investment decisions.

A specific focus of the Office is education for senior citizens, who, unfortunately, are frequent targets of investment fraud.

Taxpayer Assistance: The Commissioner of Internal Revenue noted in testimony before the subcommittee that “the Internal Revenue Service and its employees represent the face of U.S. government to more American citizens than any other government agency.” This bill places a strong emphasis on the taxpayer service function of the IRS by providing \$2,210,000,000 for Taxpayer Services. The IRS provides a variety of services to taxpayers to help them comply with their tax obligations, through the IRS web site, 1-800 help line, IRS Taxpayer Assistance Centers, the IRS Taxpayer Advocate Service, partnerships with non-profit organizations, and other efforts. Currently, the IRS is working with the National Taxpayer Advocate and the IRS Oversight Board to develop and implement the congressionally mandated Taxpayer Assistance Blueprint, aimed at crafting long-term taxpayer services strategies that address the needs and preferences of taxpayers.

As the IRS has frequently noted, both taxpayer service and tax law enforcement are important components in ensuring tax compliance; it is not an either/or proposition. As is also the case with IRS enforcement, IRS taxpayer services require a significant funding commitment from the Federal Government every year. However, the Committee believes it is important to note that while taxpayer services cost money, they ultimately save far more money, for two reasons.

First, taxpayer services help honest taxpayers navigate the complexities of the tax system, making it more likely that taxpayers will file correct returns. This allows the IRS to minimize the number of enforcement actions taken after the fact against honest taxpayers, allowing the IRS to allocate its enforcement resources more fairly and efficiently, toward cases of truly criminal tax fraud.

Second, taxpayer services help bring additional revenue to the U.S. Treasury by ensuring that taxpayers ultimately understand their tax obligations and pay what they owe. The IRS has estimated that the “tax gap,” the difference between what is owed annually and what is paid on time, is \$345 billion. A sustained commitment to funding taxpayer services will help reduce the tax gap by bringing in more revenue to help pay for important government services.

The Community Development Financial Institutions (CDFI) Fund: The CDFI Fund helps enhance the ability of community development financial institutions to provide credit, capital, and financial services—including financial education—to underserved populations and economically distressed communities. In support of these efforts, the bill provides \$105,000,000 for the CDFI Fund, which is \$76,380,000 over the President’s request. The appropriation for the CDFI Fund is a wise and cost-effective investment that will help expand both low-cost financial services and economic development in distressed communities throughout the country.

The CDFI Fund has played an important and helpful role in communities suffering the most from the housing crisis. An estimated 60 percent of community development financial institutions engage in mortgage-related activities, such as offering affordable mortgage products, mortgage counseling, financial education and homebuyer education courses, and downpayment assistance. Of the

financial and technical assistance grants awarded by the CDFI Fund in fiscal year 2007, 35 percent were awarded to entities that are involved in addressing the problems of predatory lending and housing foreclosures. Increased appropriations for the CDFI Fund will allow for more of these efforts by community development financial institutions across the country.

In addition, CDFI Fund investments are used by community development banks and credit unions to expand financial services to unbanked customers who too often must rely on expensive payday lenders and other high cost financial services. The funding provided in this bill will allow tens of thousands of low-income individuals to open bank accounts and obtain alternatives to payday loans.

Small business development:

Small businesses are facing difficult challenges as the economy weakens and turmoil continues in the credit markets. Tighter and more expensive credit makes it more difficult for small enterprises to invest in improvements, hire more employees (or keep the ones they have), and expand into new markets. This is especially true for the smallest of these enterprises—those with 20 or fewer employees. The smaller the company, the more difficult it is to find adequate sources of financing. Smaller enterprises rely on credit cards more than any other type of financing and pay high rates of interest on their credit card balances.

The success of small businesses is crucial to the health of the nation's economy. According to the Small Business Administration (SBA), small businesses employ about half of all nonfarm private sector workers and pay more than 45 percent of the nation's total private payroll. They create 60 to 80 percent of net new jobs entering the economy.

The SBA operates many programs, such as its flagship 7(a) loan guarantee program, that make it easier for small companies to find financing. Another helpful credit program to the smallest businesses is the SBA Microloan program. This program supports loans that assist businesses with financing needs of \$35,000 or less. The Committee is concerned about how the turmoil in the credit markets is affecting the availability of capital for small businesses. SBA programs should be helping during this time to increase access to capital, but loans under the 7(a) program have declined substantially during the first half of 2008. The Committee notes that borrowers participating in the 7(a) program have faced increases in fees and interest rates over the past few years, which make such financing more expensive. Similarly, the Administration's proposals for the Microloan program would increase the cost of capital for participating small businesses. This, in turn, hurts the ability of these businesses to invest, expand, and create jobs. This bill supports small businesses by appropriating funds for both the 7(a) and Microloan programs.

The Administration has also proposed reduced funding for grants to Small Business Development Centers (SBDCs). The fiscal year 2008 Financial Services bill provided \$97,120,000, an increase of about \$10,000,000 from the prior year, for SBDCs so that they may grow in their mission of providing a wide array of counseling services and training to entrepreneurs in their communities. This bill

continues the commitment to this program by providing \$110,000,000. SBDCs have demonstrated track records of helping businesses succeed and grow, which in turn generates increased local, state, and Federal tax revenues. Based on a study of the economic impact of SBDCs, a \$10 million reduction in funding for SBDCs (which is called for in the Administration's budget) translates into an estimated loss of \$24.9 million in tax revenues. Clearly, proposals for cuts to this program are penny wise and pound foolish.

These cuts to small business programs fall hardest on entrepreneurs who are struggling to lift themselves and their families out of poverty. Small businesses in disadvantaged, low-income, and underserved communities must overcome tremendous challenges to be successful, and they can least cope with cutbacks in assistance. This bill promotes efforts to help these businesses, including increased funding for the Program for Investment in Microentrepreneurs (PRIME), which is targeted toward low- and very low-income small business owners. Funding for PRIME increases from \$3,000,000 to \$6,000,000 in this bill.

In addition to the SBA, Treasury's CDFI Fund is an important factor in the success of small businesses in underserved and distressed communities. By providing grants, loans, capital investments, and technical assistance to community development banks, community development credit unions, microenterprise loan funds, and similar financial institutions, the CDFI Fund spurs small business growth and economic development. As noted previously, this bill includes \$105,000,000 for the CDFI Fund.

Supporting the basics of good government:

The Federal Government must have adequate resources to deliver effective services to the nation. These resources include both well-trained and responsive human capital and up-to-date physical capital. Unfortunately, the needs of both the Federal workforce and Federal facilities have been neglected for too long. The current Administration has cut back on resources for basic government services, relied more on contractors and less on career civil servants, and allowed the physical infrastructure of government to deteriorate. There has been too little emphasis on strengthening the Federal workforce so that it has the best skills to accomplish the missions of its agencies. These ill-advised policies result in a government that is distant from the people it should serve; government needs to return to being accessible and helpful to all Americans.

Government contracting oversight: In fiscal year 2007, the U.S. Government spent \$430 billion in contracts, which is over three percent of the nation's entire Gross Domestic Product. It is also a 96 percent increase over the contracting level when the current Administration entered office. The sheer volume of Federal contracting, and the little oversight that seems to accompany many major procurements at the agency level is of concern to the Committee, and this concern is shared by others. The Government Accountability Office continues to rank government contracting as a high-risk area, and independent reports have confirmed that contracting is a key challenge for the government. There has been little cross agency strategy and a general lack of oversight once contracts have been awarded. Unfortunately, the Iraq war has dem-

onstrated the problems that arise when contractors are granted free reign to pursue their own tactics with little guidance from the contracting officers and agency leaders. The BlackwaterUSA debacle, the Halliburton no-bid contracts and overcharges, and revelations about improper influence relating to a \$50 million Air Force contract are just a few examples. The government must gain control over its contracts. It must do a better job of recognizing problems before they become untenable, setting clear objectives and controls in the contracts, and not allowing contracting firms to gain monopoly status over agency objectives. This bill provides funding for the General Services Administration (GSA), which manages an annual business volume of nearly \$50 billion in contracts, roughly 11 percent of total Federal procurements. The Committee expects GSA and its Inspector General to exercise vigorous oversight over these contracts. The bill also provides funding for the Office of Management and Budget, which, through its Office of Federal Procurement Policy, should play an essential role in government-wide contracting oversight.

The Committee is also concerned about the potential vulnerabilities in the Federal workplace stemming from the increasing number of Federal contract employees present at agency offices. Contractor employees are increasingly working side-by-side with Federal career employees, and in many cases these contractors are the face that the public sees when they are interacting with an agency. An important difference between a Federal employee and a contractor employee is that the contractor is ultimately responsible to the company that employs him or her, not the Government and the American taxpayer. Contract employees are also not always subject to the same ethical safeguards as Federal employees; safeguards that are designed to ensure the integrity of the Federal workplace. This is disconcerting because contract employees may be exposed to a variety of ethically questionable situations resulting from their serving in the capacity of Federal employees. These include financial conflicts of interest, impartiality, misuse of information, misuse of authority, and misuse of government property. The Committee is encouraged that the Administration has taken steps through its Federal Acquisition Council to promote contract employee ethics, but would like to see further action taken to strengthen contractor ethics requirements. Included in this bill is funding for the Office of Government Ethics, an agency which can help address this important issue.

Federal workforce: The Federal workforce performs essential work to deliver services to Americans. Federal workers do everything from protecting our public airports to administering programs that ensure our seniors have an adequate standard of living. The continuity of their work is essential. It has been well-publicized that a retirement “tsunami” is forthcoming, and the resulting loss of experience and institutional knowledge could cripple the Federal Government’s ability to fulfill its basic responsibilities. Therefore, the Committee recommends that all Federal agencies, through guidance from the Office of Personnel Management (OPM), take further steps to ensure that the Federal workforce will be adequately staffed for years to come and that adequate succession plans are in place.

The Committee is also concerned that strategic human capital management has been on the Government Accountability Office's high-risk list since 2001. While improvements have been made since 2001, agencies still struggle with how to best recruit, compensate, train, and motivate employees. OPM plays a critical role in guiding Federal human capital management. The Committee strongly encourages OPM to use the resources provided in this bill to strengthen strategic human capital management throughout the Federal Government.

As part of this effort, the Committee believes that Federal agencies should take further steps toward workforce recruiting within the United States territories. The territories are home to thousands of U.S. citizens who may not be fully aware of the opportunities that exist within the Federal Government. Some agencies have taken steps to recruit from the territories, but others have not yet. The Committee recommends that OPM spearhead the effort to encourage individual agency human resource offices to take advantage of the talent pool that exists in these territories.

Finally, laws that ensure that Federal workers are adequately protected against prohibited personnel practices need to be more vigorously enforced. These practices include, but are not limited to: discrimination of any nature, whistleblower retaliation, and political coercion. All of these practices are unacceptable. Federal agencies need to be on the offensive to prevent these prohibited personnel practices. The Committee recommends that each agency create the necessary policies or review their existing policies to educate employees and to prevent such activities, and that plans are in place to remedy such a situation should it ever occur.

Election administration: Citizens need to be confident that when they cast a vote in an election, their votes are private and secure, the votes will be accurately counted, their polling places are accessible, and the way in which they cast their votes is clear and understandable. Unfortunately, the nation's experience in recent elections has raised more questions than answers and more concerns than assurances regarding these issues. Following the disputed 2000 election, Congress passed the Help America Vote Act of 2002 (HAVA) and established the Election Assistance Commission to help States and local units of government with election administration matters.

This bill includes a total of \$134,559,000 for the Election Assistance Commission. This amount includes funds to help States meet requirements under HAVA, research new technology to help make voting systems more accessible for the disabled, improve the testing and verification of voting systems, recruit and train badly needed poll workers, and give students a firm foundation in the electoral process through mock elections. These efforts will further demonstrate Congress's commitment to improve the way our election process works.

Physical infrastructure investment: Across the nation, GSA owns or leases over 340 million square feet of space comprising 8,920 buildings. In addition to office buildings where people perform the business of the Federal Government, GSA constructs other types of public buildings, such as border stations and courthouses. In the last two years, this Committee has invested nearly \$16 billion in the infrastructure of the country's Federal assets, including fund-

ing for six Federal courthouses, and reconstruction of one of the most congested border crossings in the world.

These infrastructure investments are guided by policies that strive to achieve excellence in many areas including energy efficiency, sensitivity to historical preservation, and urban development requirements. Infrastructure investments serve the nation as a whole by supporting facilities the government uses to carry out its business, but these investments also contribute to the strength and growth of the surrounding local communities.

OPERATING PLAN AND REPROGRAMMING PROCEDURES

The Committee will continue to evaluate reprogrammings proposed by agencies. Although reprogrammings may not change either the total amount available in an account or any of the purposes for which the appropriation is legally available, they represent a significant departure from budget plans presented to the Committee in an agency's budget justifications and supporting documents, which are the basis of this appropriations Act. The Committee expects agencies' reprogramming requests to thoroughly explain the reasons for the reprogramming and to include an assessment of whether the reprogramming will affect budget requirements for the subsequent fiscal year.

Section 608 of this Act requires that agencies or entities funded by the Act notify the Committee and obtain prior approval from the Committee for any reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities.

Additionally, the Committee expects to be promptly notified of all reprogramming actions which involve less than the above-mentioned amounts if such actions would have the effect of significantly changing an agency's funding requirements in future years, or if programs or projects specifically cited in the Committee's reports are affected by the reprogramming. Reprogrammings meeting these criteria must be approved by the Committee regardless of the amount proposed to be moved.

Section 608 also requires agencies to consult with the Committees on Appropriations prior to any significant reorganization or restructuring of offices, programs, or activities. This provision applies regardless of whether the reorganization or restructuring involves a reprogramming of funds. Agencies are encouraged to consult with the Committees early in the process so that any questions or concerns the Committees may have can be addressed in a timely manner.

Agencies are directed under section 608 to submit operating plans for the Committee's review within 60 days of the bill's enactment. Each operating plan should include: (1) a table for each appropriation with a separate column to display the President's budg-

et request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest.

RELATIONSHIP WITH BUDGET OFFICES

Through the years, the Committee has channeled most of its inquiries and requests for information and assistance through the budget offices of the various departments, agencies, and commissions. There is a natural relationship between the work of the budget offices and the work of the Committee. Some agencies, however, direct that all congressional communications, both formal and informal, flow through their congressional liaison offices. While the Committee appreciates the work done by these offices and will continue to maintain strong working relationships with them, the Committee must insist on direct lines of communication with the budget offices. The nature of the Committee's work requires responsiveness from agencies that should not be hindered by layers of bureaucracy or filtered through third parties. This is particularly true with respect to technical budget assistance that the Committee relies upon the budget offices to provide. The Committee also reserves the right to call upon program and other offices as necessary.

QUALITY OF BUDGET JUSTIFICATION DOCUMENTS

Agencies are urged to work with the Committee to improve budget justification documents' quality and presentation by including relevant and specific budget and program information. The Committee recognizes and appreciates those agencies that have done so for the fiscal year 2009 budget. However, the Committee continues to be concerned about incomplete and inadequate budget justifications. The Committee believes that all budget justifications should include an explanation of each program, project, and activity's mission and purpose, along with a specific explanation of the proposed increases or decreases in funding from the current year. The Committee is concerned that there is an overemphasis in many budget justifications on subjective and misleading performance evaluation measures, specifically the Office of Management and Budget's Program Assessment Rating Tool (PART).

Agencies should not consider PART evaluations to be a substitute for meaningful programmatic and budget data that the Committee relies on to prepare its bills. Further, the Committee strongly encourages the Administration to use a meaningful system of evaluation to justify proposed program funding levels, with such a system using factors that are objective, relevant, and developed in a collaborative manner with Congress. The Committee finds little use for a budget justification that does not reveal specific details of the measurable indicators and standards used to evaluate a program's performance, relevance, or adherence to underlying authorization statute. Further, the Committee has little patience for agency heads who cannot explain the rationale behind a program's funding level other than "the PART score," "getting to green," or

“this is what OMB directed.” The Committee welcomes the input from the agencies regarding program evaluation measures.

Additionally, the Committee is extremely concerned about agencies that are late in submitting their budget justification documents. While the vast majority of agencies submitted their fiscal year 2009 budget documents on time, some agencies did not submit them until well after the President’s budget was presented to Congress. That is inexcusable and will not be tolerated by the Committee.

COMMITTEE HEARINGS

The Committee has conducted extensive hearings on the programs and projects provided for in this bill. Pursuant to House rules, each of these hearings was open to the public. The Committee received testimony from agency heads and other officials of the executive branch in areas under the bill’s jurisdiction, as well as from certain non-government organizations that participated in these hearings. In addition, the Committee has considered written material submitted for the hearing record by private citizens and organizations. The bill recommendations for fiscal year 2009 have been developed after careful consideration of all the information available to the Committee.

PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 2009, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, with respect to appropriations contained in the accompanying bill, the terms “program, project, and activity” shall mean any item for which a dollar amount is contained in an appropriations Act (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. This definition shall apply to all programs for which new budget (obligational) authority is provided.

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$248,360,000
Budget request, fiscal year 2009	273,895,000
Recommended in the bill	275,395,000
Bill compared with:	
Appropriation, fiscal year 2008	+27,035,000
Budget request, fiscal year 2009	+1,500,000

The Departmental Offices’ function in the Treasury Department is to provide basic support to the Secretary of the Treasury, the chief operating executive of the Department. The Secretary also has a primary role in formulating and managing the domestic and international tax and financial policies of the Federal Government. The Secretary’s responsibilities funded by the Salaries and Ex-

penses appropriation include: recommending and implementing United States domestic and international economic and tax policy; providing recommendations regarding fiscal policy; governing the fiscal operations of the Government; maintaining foreign assets control; managing the public debt; managing development of financial policy; representing the United States on international monetary, trade and investment issues; overseeing Treasury Department overseas operations; directing the administrative operations of the Treasury Department; and providing executive oversight of the bureaus within the Treasury Department.

COMMITTEE RECOMMENDATION

The Committee recommends \$275,395,000 for Departmental Offices, Salaries and Expenses, \$1,500,000 above the budget request and \$27,035,000 above the amounts provided in fiscal year 2008. The funding recommendations are made based on information included in the budget justification. Language is included allowing the Department to transfer up to 4 percent between activities upon notification. Transfers may be made in excess of 4 percent upon approval of the House and Senate Appropriations Committees. Funds are to be allocated as follows:

Executive Direction	\$21,592,000
Economic Policies and Programs	45,853,000
Financial Policies and Programs	35,435,000
Terrorism and Financial Intelligence	62,012,000
Treasury-wide Management Policies and Programs	19,009,000
Administration Programs	91,494,000

The Committee includes in its recommendation \$258,000 for unforeseen emergencies; \$5,232,443 for the Treasury-wide Financial Statement Audit and Internal Control program, which is available until September 30, 2010; \$3,000,000 for information technology modernization requirements, which is available until September 30, 2010; \$500,000 for secure space requirements, which is available until September 30, 2010; \$1,100,000 available until September 30, 2010, for hiring of personnel whose work will require a security clearance investigation in order to perform highly classified work; \$3,400,000 for development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, which is available until September 30, 2011; \$3,000,000 for modernization of the Office of Debt Management's information technology, which is available until September 30, 2011; and \$150,000 for official reception and representation expenses.

OPERATING PLAN

The Committee directs the Department, upon enactment of the fiscal year 2009 Appropriations Act, to submit an operating plan for the fiscal year 2009 resources provided to the Department, including all offices and bureaus, not more than 60 days after enactment. This requirement is further addressed by section 608 of this Act. The plan must include information on program increases and major procurements at the Department. The operating plan should incorporate input from all senior level managers of the Department, and once submitted, the final plan should be made available to those managers.

FINANCIAL EDUCATION

Within the Financial Policies and Programs budget activity, the Committee provides an increase of \$700,000 above the amount assumed in the President's request for the Department's Office of Financial Education. The Committee directs that this increase be specifically targeted toward financial education efforts aimed at elementary schools and high schools, as well as efforts aimed at combating predatory lending.

FORECLOSURE CRISIS

The Committee notes that there continues to be a sharp rise in foreclosures associated with subprime and other alternative mortgages. The rise in foreclosures has led to multiple problems. Not only have hundreds of thousands of families lost their homes, but millions more homeowners have seen a decline in their home values as a result of being located near foreclosed homes. In 2007, the Department of the Treasury announced it had helped broker an alliance of mortgage lenders, servicers, counselors, and investors, known as the HOPE NOW alliance, to help homeowners stay in their homes, through loan repayment plans, loan modifications, and other potential remedies.

However, a great many mortgages are not included in this voluntary initiative, including mortgages whose interest rate resets began prior to 2008, mortgages in which the homeowner has been more than 60 days delinquent on more than one payment over the past year, and others. A large number of these homeowners have entered, or soon will enter, foreclosure. In March 2008, nearly 3 percent of homes that were once owner-occupied were vacant, up from less than 2 percent in 2005 and the highest level since the Census Bureau began publishing the number in 1956. In addition, the State Foreclosure Prevention Working Group, composed of state attorneys general and state banking regulators, reported in April 2008 that seven out of every ten seriously delinquent borrowers were not on track for any loss mitigation outcome.

The Committee is greatly concerned that the total number of loan modifications has been, and continues to be, far exceeded by the number of foreclosures. During the first two months of 2008, for example, more than three times as many borrowers entered foreclosure as received loan modifications. Furthermore, the Secretary of the Treasury himself has noted that the worst of the foreclosure crisis is still to come. The Committee is aware that Congress has been working to address this issue. At the same time, however, the Committee strongly urges the Department to step up its efforts to prevent foreclosures by all available means, including stepping up efforts to encourage HOPE NOW participants and others to make necessary mortgage modifications.

THE OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

The Committee recommends \$62,012,000 for the Office of Terrorism and Financial Intelligence, an increase of \$300,000 above the President's request and \$5,237,000 above amounts provided in fiscal year 2008. Within the funds for the Office of Foreign Assets Control, not less than \$300,000 is provided to increase, above fiscal

year 2008 levels, efforts to reduce the backlog of Freedom of Information Act (FOIA) requests.

OFAC AND CUBA

The Committee is greatly concerned by the resource allocation decisions being made by OFAC, as noted in a November 2007 report from the Government Accountability Office (GAO). The Committee wishes to emphasize that OFAC's resource allocation decisions should be made on the basis of the most pressing national security threats facing the United States. OFAC is responsible for administering and enforcing more than 20 economic and trade sanctions programs, based on U.S. foreign policy and national security goals, against targeted foreign countries, terrorists, international narcotics traffickers, and proliferators of weapons of mass destruction. Yet, as the GAO report points out, Cuba embargo-related cases comprised 61 percent of OFAC's investigatory caseload from 2000 through 2006. In contrast, Cuba embargo-related cases comprise a minor part of the investigation caseloads of the Commerce Department's Bureau of Industry and Security (BIS)/Office of Export Enforcement and the Department of Homeland Security's Bureau of Immigration and Customs Enforcement (3 percent and 0.2 percent, respectively).

In addition, OFAC penalties for Cuba embargo violations represented more than 70 percent of OFAC's total penalties between 2000 and 2005. The report notes that most of these penalties were for infractions such as purchasing Cuban cigars. By contrast, Cuba embargo penalties comprised just 0.16 percent of the total penalties of BIS during the period of 2002–2006. The Commerce Department, the Department of Homeland Security's Bureau of Immigration and Customs Enforcement, and the Justice Department reported undertaking relatively few investigations, penalties, and prosecutions of Cuba embargo violations.

The Committee strongly concurs with GAO's recommendation that the Secretary of the Treasury direct OFAC to assess its allocation of resources for investigating and penalizing violations of the Cuba embargo with respect to the numerous other sanctions programs OFAC administers. The Committee directs the Department to report to the Committee within 60 days of enactment of this Act as to the steps it is taking to assess OFAC's allocation of resources, along with any plans to reallocate OFAC resources. The Committee additionally directs the Department to provide, as part of its fiscal year 2009 operating plan, the following information:

(1) for each fiscal year from 2001 to 2008, the following information related to OFAC's Cuba-related licensing:

- the number of family travel licenses issued, as well as the number denied;
- the number of religious travel licenses issued; as well as the number denied;
- the number of academic travel licenses issued; as well as the number denied;
- the number of licenses issued for the various categories of permissible travel;
- the number of licenses denied for the various categories of permissible travel;
- the number of fines issued;

- the average amount of fines;
 - the total amount (in dollars) of fines issued per violation category;
 - the number of Cuba travel service providers receiving licenses;
 - the names of Cuba travel service providers receiving licenses;
 - the number of Full-time Equivalents (FTE) used for issuing Cuba licenses; and
 - the number of FTE used for issuing licenses for Cuba travel service providers;
- (2) for each fiscal year from 2001 to 2008, the following information related to OFAC enforcement of the Cuba embargo:
- the number of FTE used for Cuba embargo enforcement;
 - the number of fines issued;
 - the average amount of fines;
 - the total amount (in dollars) of fines issued, per violation category;
 - the number of cases heard by OFAC Administrative Law Judges, along with information on whether these judges were OFAC's own, or whether they were borrowed from other Government agencies;
 - the average fine in these cases; and
 - the total amount (in dollars) of fines issued by these judges;
- (3) for each fiscal year from 1990 to 2008, the following information related to OFAC enforcement of the Cuba embargo:
- the total amount of fines collected in each year;
 - the number of travelers engaged in illegal travel to Cuba and apprehended, as reported to OFAC, along with statistics as to the points-of-entry where travelers were apprehended;
 - the number of cases against travelers that were/are disputed by the traveler;
 - the number of these cases that are settled;
 - the average settlement amount; and
 - the average time from the first notice sent to the traveler until final settlement was reached;
- (4) for fiscal years 2007 and 2008, the number of FTE devoted to OFAC enforcement in the area of Foreign Terrorist Organizations.

TREASURY'S MANAGEMENT OF INFORMATION TECHNOLOGY INVESTMENTS

The Committee is concerned about the findings of a July 2007 GAO report that found that while the Department has established many of the capabilities needed to select, control, and evaluate its information technology (IT) investments, the Department has significant weaknesses that hamper its ability to effectively manage its investments. Specifically, the report noted that Treasury did not have an executive investment review board—a group of executives from IT and business units that is intended to be the final decision-making authority—that is actively engaged in the IT investment management process. In addition, the Department did not have any policies and procedures for managing its nonmajor IT investments, although they represent almost 70 percent of the total num-

ber of investments. The Department plans to spend more than \$2,900,000,000 on information technology in fiscal year 2008.

The Committee is encouraged that the Department has since initiated efforts to improve its IT investment management process and recognizes the need to take proactive steps to strengthen its investment board operations and oversight of IT resources and programs. The Committee directs the Department to report to the Committee, within 90 days of enactment of this Act, on improvements that have been implemented or planned in this area, including progress in addressing GAO's recommendations.

TRAVEL CAP

For the second year in a row, the Committee has not included a travel limitation, which was \$3,000,000 in fiscal years 2006 and 2007. The Committee remains concerned about politically motivated travel, but understands that restricting the travel of all Treasury offices and bureaus may negatively impact mission operations. The Committee will continue to monitor travel and re-evaluate this position at the next appropriate time. Therefore, the Committee restates the travel report directives contained in House Report 108–792 and directs the Department to include the purpose of the reported travel in the quarterly report. The Committee also continues the direction that the Secretary shall ensure that a portion of travel funds are made available to General Schedule employees to support the training and development of all Departmental Office employees.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$18,710,000
Budget request, fiscal year 2009	26,975,000
Recommended in the bill	26,975,000
Bill compared with:	
Appropriation, fiscal year 2008	+8,265,000
Budget request, fiscal year 2009	– – –

The Department-wide Systems and Capital Investments Programs appropriation funds the modernization of Treasury business processes and increases in Department-wide systems efficiency through technology investments for systems that involve more than one Treasury bureau or Treasury's interface with other governmental agencies.

COMMITTEE RECOMMENDATION

The Committee recommends \$26,975,000 for Department-wide Systems and Capital Investments Programs, the same as the budget request and \$8,265,000 above the amounts provided in fiscal year 2008. Funds are available until September 30, 2011. Of the funds provided, \$11,518,000 is for repairs to the Treasury Annex Building, as requested.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$18,450,000
Budget request, fiscal year 2009	19,356,000
Recommended in the bill	19,356,000
Bill compared with:	
Appropriation, fiscal year 2008	+906,000
Budget request, fiscal year 2009	- - -

The Office of Inspector General provides agency-wide audit and investigative functions to identify and correct operational and administrative deficiencies which create conditions for existing or potential instances of fraud, waste, and mismanagement. The audit function provides program, contract, and financial statement audit services. Contract audits provide professional advice to agency contracting officials on accounting and financial matters relative to negotiation, award, administration, repricing, and settlement of contracts. Program audits review and evaluate all facets of agency operations. Financial statement audits assess whether financial statements fairly present the agency's financial condition and results of operations, the adequacy of accounting controls, and compliance with laws and regulations. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends \$19,356,000 for the Office of Inspector General, the same as the budget request and \$906,000 above the amounts provided in fiscal year 2008. The bill includes \$2,000,000 for official travel expenses, \$2,500 for official reception and representation expenses, and up to \$100,000 for unforeseen emergencies.

The Committee encourages the Inspector General of the Treasury, with respect to the Office of Thrift Supervision and the Comptroller of the Currency; the Inspector General of the Federal Deposit Insurance Corporation, with respect to the Corporation; and the Inspector General of the Securities and Exchange Commission, with respect to the Commission, to fully investigate how any policies, actions, or supervisory roles of such agencies might have contributed to the mortgage foreclosure crisis.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$140,533,000
Budget request, fiscal year 2009	145,736,000
Recommended in the bill	145,736,000
Bill compared with:	
Appropriation, fiscal year 2008	+5,203,000
Budget request, fiscal year 2009	- - -

The Internal Revenue Service (IRS) Restructuring and Reform Act of 1998 established the Office of Treasury Inspector General for Tax Administration (TIGTA) and abolished the IRS Office of the Chief Inspector. TIGTA conducts audits, investigations, and evaluations to assess the operations and programs of the IRS and its related entities, the IRS Oversight Board, and the Office of Chief

Counsel. The purpose of those audits and investigations is as follows: (1) to promote the economic, efficient, and effective administration of the nation's tax laws and to detect and deter fraud and abuse in IRS programs and operations; and (2) to recommend actions to resolve fraud and other serious problems, abuses, and deficiencies in these programs and operations.

COMMITTEE RECOMMENDATION

The Committee recommends \$145,736,000 for the Treasury Inspector General for Tax Administration, the same as the budget request and \$5,203,000 above the amounts provided in fiscal year 2008. The bill includes \$6,000,000 for official travel expenses, \$1,500 for official reception and representation expenses, and up to \$500,000 for unforeseen emergencies.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$85,844,000
Budget request, fiscal year 2009	91,335,000
Recommended in the bill	91,335,000
Bill compared with:	
Appropriation, fiscal year 2008	+5,491,000
Budget request, fiscal year 2009	- - -

The Financial Crimes Enforcement Network (FinCEN) is responsible for implementing Treasury's anti-money laundering regulations through administration of the Bank Secrecy Act (BSA), 31 U.S.C. section 5311, et seq. It also serves as a U.S. Government source for the systematic collection and analysis of information to assist in the investigation of money laundering and other financial crimes. FinCEN supports law enforcement investigative efforts by Federal, state, local and international agencies, and fosters inter-agency and global cooperation against domestic and international financial crimes. It also provides U.S. policymakers with strategic analyses of domestic and worldwide trends and patterns. It works to prevent money laundering through its regulatory and outreach programs, including setting policy for and overseeing BSA compliance by financial institutions, and by providing BSA training for law enforcement, bankers, and bank regulators.

COMMITTEE RECOMMENDATION

The Committee recommends \$91,335,000 for FinCEN, the same as the budget request and \$5,491,000 above the amounts provided in fiscal year 2008. Of the amounts provided, \$9,178,000 is available until September 30, 2010, for regulatory support programs, and \$16,340,000 is available until September 30, 2011, for information technology and special analytical initiatives.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

Appropriation, fiscal year 2008 *	\$234,423,000
Budget request, fiscal year 2009	239,344,000
Recommended in the bill	239,344,000
Bill compared with:	
Appropriation, fiscal year 2008	+4,921,000
Budget request, fiscal year 2009	- - -

*The Financial Management Service also received a supplemental fiscal year 2008 appropriation of \$64,175,000 for one-time funding of its additional workload resulting from P.L. 110-185, the Economic Stimulus Act of 2008.

The Financial Management Service (FMS) is responsible for the management of Federal finances and the collection of Federal debt. As the Federal Government's central financial agent, FMS receives and disburses public monies, maintains Government accounts, and reports on the status of the Government's finances. FMS is also accountable for developing and implementing the most reliable and efficient financial methods and systems to operate the Government's cash management, credit management, and debt collection programs. Pursuant to the Debt Collection Improvement Act of 1996, FMS became the primary agency for collecting Federal non-tax debt that is due and owed to the Government and coordinating efforts to collect debt from those who have defaulted on agreements with the Federal Government.

COMMITTEE RECOMMENDATION

The Committee recommends \$239,344,000 for the Financial Management Service, the same as the budget request and \$4,921,000 above the amounts provided in fiscal year 2008. Of the funds provided, the Committee recommends \$9,220,000 for information systems modernization initiatives, which is available until September 30, 2011, and \$2,500 for official reception and representation expenses.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$93,515,000
Budget request, fiscal year 2009	96,900,000
Recommended in the bill	96,900,000
Bill compared with:	
Appropriation, fiscal year 2008	+3,385,000
Budget request, fiscal year 2009	- - -

The Alcohol and Tobacco Tax and Trade Bureau (TTB) is responsible for the enforcement of laws designed to eliminate certain illicit activities and to regulate lawful activities relating to distilled spirits, beer, wine and nonbeverage alcohol products, and tobacco. TTB focuses on collecting revenue; reducing taxpayer burden and improving service while preventing diversion; and protecting the public and preventing consumer deception in certain regulated commodities.

COMMITTEE RECOMMENDATION

The Committee recommends \$96,900,000 for the Alcohol and Tobacco Tax and Trade Bureau, the same as the budget request and \$3,385,000 above the amounts provided in fiscal year 2008. Within

the amount provided, the bill includes up to \$6,000 for official reception and representation expenses and up to \$50,000 for cooperative research and development programs.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

The United States Mint manufactures coins, receives deposits of gold and silver bullion, and safeguards the Federal Government's holdings of monetary metals. In 1997, Congress established the United States Mint Public Enterprise Fund (Public Law 104–52), which authorized the Mint to use proceeds from the sale of coins to finance the costs of its operations and consolidated all existing Mint accounts into a single fund. Public Law 104–52 also provided that, in certain situations, the levels of capital investments for circulating coins and protective services shall factor into the decisions of the Congress such that those levels compete with other requirements for funding.

COMMITTEE RECOMMENDATION

The Committee recommends a spending level for capital investments by the Mint for circulating coinage and protective services of \$42,150,000, the same as the budget request and \$8,950,000 above the fiscal year 2008 spending level. The following table provides basic information on the revenues, costs, and products of the Mint for fiscal years 2007 through 2009:

UNITED STATES MINT

Revenues, Costs, and Products FY 2007—FY 2009, from the FY 2009 President's Budget

	Circulating Coins	Commemorative Quarters	Numismatic/Bullion	Protection
2007 (Actual):				
Number of coins	12.6 billion	2.8 billion	23 million	
Cost of Operations.	\$472 million	\$353 million	\$107 million	\$44 million
Revenue*	\$1,050 million	\$678 million	\$908 million	
2008 (Est.):				
Number of coins	12.4 billion	3.0 billion	24 million	
Cost of Operations.	\$614 million	\$418 million	\$1,098 million	\$46 million
Revenue*	\$974 million	\$748 million	\$1,117 million	
2009 (Est.):				
Number of coins	12.7 billion	2.6 billion	22 million	
Cost of Operations.	\$924 million	\$107 million	\$1,049 million	\$47 million
Revenue*	\$1,443 million	\$166 million	\$1,065 million	
Net Revenue (FY 2009) **.	\$519 million	\$59 million	\$16 million	(\$47) million

* Revenue estimates here are shown as the face value of circulating coins and quarters, and the sales of numismatic/bullion coins. In budgetary terms, this corresponds to the total earned revenues plus total other financing sources.

** Net Revenue shown here is calculated as the difference between Revenue and Cost of Operations in FY 2009. In budgetary terms this represents circulating coinage seigniorage and numismatic program profit.

BUREAU OF THE PUBLIC DEBT
ADMINISTERING THE PUBLIC DEBT

Appropriation, fiscal year 2008	\$182,871,000
Budget request, fiscal year 2009	187,054,000
Recommended in the bill	187,054,000
Bill compared with:	
Appropriation, fiscal year 2008	+4,183,000
Budget request, fiscal year 2009	- - -

The Bureau of the Public Debt is responsible for the conduct of all public debt operations and the promotion of the sale of U.S. securities.

COMMITTEE RECOMMENDATION

The Committee recommends \$187,054,000 for Administering the Public Debt, the same as the budget request and \$4,183,000 above the amounts provided in fiscal year 2008. Of this amount, the Committee recommends \$2,500 for official reception and representation expenses, and \$2,000,000 for systems modernization, which is available until September 30, 2011. Language is included that reduces the total amount by no more than \$10,000,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2009 appropriation of \$177,054,000.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND
PROGRAM ACCOUNT

Appropriation, fiscal year 2008	\$94,000,000
Budget request, fiscal year 2009	28,620,000
Recommended in the bill	105,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+11,000,000
Budget request, fiscal year 2009	+76,380,000

The Community Development Financial Institutions (CDFI) Fund provides grants, loans, equity investments, and technical assistance to new and existing community development financial institutions such as community development banks, community development credit unions, and housing and microenterprise loan funds. Recipients use the funds to support mortgage, small business and economic development lending in underserved and distressed neighborhoods and to support the availability of financial services in these neighborhoods. The Fund is also responsible for implementation of the Community Renewal Tax Relief Act of 2000.

COMMITTEE RECOMMENDATION

The Committee recommends \$105,000,000 for the CDFI Fund program, \$76,380,000 above the budget request and \$11,000,000 above the amounts provided in fiscal year 2008. Of the funds provided, \$13,778,000 is for administrative costs of the program. The Committee directs that the Bank Enterprise Award (BEA) program be funded at not less than \$22,000,000.

The Committee notes that poverty, lack of economic opportunity, and lack of low-cost financial services continue to be problems across much of the nation, particularly in many Hispanic-American, African-American, Native American, Asian American, Pacific

Islander and other minority communities. The Committee appreciates the ongoing efforts of the CDFI Fund to work to remedy the particular problems in these communities and strongly encourages the CDFI Fund to continue to place a heavy emphasis on these efforts.

BUREAU OF ENGRAVING AND PRINTING

The Bureau of Engraving and Printing (BEP) designs, manufactures, and supplies Federal Reserve notes, various public debt instruments, as well as most evidences of a financial character issued by the U.S., such as postage and internal revenue stamps. The BEP also executes certain printings for various territories administered by the U.S., particularly postage and revenue stamps.

The operations of the BEP are financed by a revolving fund established in accordance with the provisions of Public Law 81-656, August 4, 1950 (31 U.S.C. 181), which requires the BEP to be reimbursed by customer agencies for the costs of all manufacturing products and services performed. The BEP is also authorized to assess amounts to acquire capital equipment and provide for working capital needs. The anticipated work volume is based on estimates of requirements submitted by agencies served. The following table summarizes BEP revenue and expense data for fiscal years 2007 through 2009:

BUREAU OF ENGRAVING AND PRINTING REVENUE AND COSTS

[Dollars in thousands]

Description	FY 2007	FY 2008	FY 2009	% Change FY 2008 to FY 2009
	Actual amount	Estimated amount	Estimated amount	
Revenue:				
Federal Reserve Notes	\$572,700	\$482,000	\$562,000	16.6
Other Security Products	5,400	6,000	6,000	0.0
Total Revenue	\$578,100	\$488,000	\$568,000	16.4%
Expenses:				
Direct Manufacturing:				
Paper and Ink	\$171,000	\$140,000	\$180,000	28.6
Direct Labor	32,000	28,000	31,000	10.7
Other Direct Mfg Costs	7,000	6,000	7,500	25.0
Subtotal Direct Manufacturing Costs	210,000	174,000	218,500	25.6
Indirect Manufacturing Support	259,500	269,000	278,000	3.3
Total Manufacturing Activity Costs	469,500	443,000	496,500	12.1
Total Protection & Accountability of Assets Activity Costs	62,300	62,000	63,000	1.6
Total Expenses	\$531,800	\$505,000	\$559,500	10.8
Net Results	\$46,300	(\$17,000)	\$8,500	-150.0
Federal Reserve Notes Manufactured (in Billions)	9.1	7.7	9.3	20.8

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

Appropriation, fiscal year 2008*	\$2,150,000,000
Budget request, fiscal year 2009	2,150,000,000
Recommended in the bill	2,210,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+60,000,000
Budget request, fiscal year 2009	+60,000,000

*The IRS also received a one-time supplemental Taxpayer Services appropriation in fiscal year 2008 of \$50,720,000 for its additional workload resulting from P.L. 110-185, the Economic Stimulus Act of 2008.

The Taxpayer Services appropriation provides for taxpayer services, including forms and publications; processing tax returns and related documents; filing and account services; taxpayer advocacy services; and assisting taxpayers to understand their tax obligations, correctly file their returns, and pay taxes due in a timely manner.

COMMITTEE RECOMMENDATION

The Committee recommends \$2,210,000,000 for Taxpayer Services, an increase of \$60,000,000 above both the President's request and the amount provided in fiscal year 2008. Of the funds provided, the Committee recommends not less than \$9,500,000 for low-income taxpayer clinic grants and not less than \$5,100,000 for the Tax Counseling for the Elderly Program. The Committee has also included not less than \$192,000,000 for operating expenses of the Taxpayer Advocate Service, an increase of \$10,500,000 above the amount assumed in the President's request.

TAXPAYER SERVICES BUDGET AND PRIORITIES

While the President's request proposed funding the Taxpayer Services account at the FY 2008 level of \$2,150,000,000, the majority of this account funds filing and account services, which largely covers IRS costs associated with the processing of tax returns. The rest of the account, devoted to pre-filing taxpayer services, was proposed to be reduced by more than \$28,000,000 or 4.3 percent, from \$645,375,000 in fiscal year 2008 down to \$617,326,000 in the fiscal year 2009 request. This is unacceptable. A growing taxpayer population and continued complexity in tax law demands continued and enhanced IRS taxpayer services efforts.

The Committee directs IRS to strengthen, improve, and expand taxpayer services. The IRS often points to the IRS web site and other electronic means as viable taxpayer alternatives. Indeed, it is true that these alternatives have seen increased usage in recent years, and provide the IRS's lowest-cost opportunity to serve taxpayers. In addition, Taxpayer Assistance Blueprint (TAB) research shows that a significant number of taxpayers would use electronic means to obtain IRS services when given the opportunity.

However, the Committee must strongly emphasize a fact confirmed by other TAB research, namely that electronic modes of service, such as the IRS web site, cannot and must not be the only modes of taxpayer service. As the IRS Taxpayer Advocate noted in testimony earlier this year, "the Internet may be adequate for taxpayers who are comfortable handling financial transactions online, but the TAB's research studies showed that a certain percentage of taxpayers, and particular types of tax issues, require personal

interaction—by telephone, face-to-face, or both.” In addition, a November 2006 research study commissioned by the IRS Oversight Board noted that, while many taxpayers would be willing to consider less costly on-line, self-service solutions, taxpayers “by a wide margin * * * would prefer to receive service from a person rather than an automated system * * *” The study notes that, “for help in resolving a tax dispute or error, 61 percent of taxpayers identified calling the IRS as their most preferred service channel, while another 22 percent selected visiting an IRS office as their first choice.”

An example of this can be seen in the recent increase in IRS 1-800 help line call volume, as a result of questions related to the Economic Stimulus Act payments. This has resulted in recent declines in the IRS levels of service on its 1-800 help line. The sharp increases in call volume have occurred despite IRS mailings to taxpayers pointing to the IRS web site as a source of information about the Economic Stimulus Act payments. The Committee believes that this illustrates that the IRS web site, while useful in its own right, cannot be solely relied upon to assist taxpayers needing IRS services and answers to tax questions. Taxpayers need, and should be able to access, direct personal contact with the IRS—both over-the-phone and face-to-face.

The Committee directs that \$47 million of the increase be allocated toward increasing, above the levels assumed in the budget request, the following activities: (1) IRS taxpayer outreach and education, (2) enhancements to IRS face-to-face service, and (3) enhancements to the IRS 1-800 help line service. The Department is directed to include, in its fiscal year 2009 operating plan, a specific plan for increasing these activities above the levels assumed in the budget request. For purposes of comparison, the plan should include: (1) details on the funding levels and full-time equivalents (FTEs) assumed in the fiscal year 2009 budget request for these activities, and (2) funding levels and FTEs for these activities as funded by this Act. The Committee expects the funding increase in the Taxpayer Services account to be in addition to, and not a replacement for, the \$127,000,000 in user fee collections that the IRS intends to supplement this account in fiscal year 2009. The Committee additionally expects this increase in funding to be added to the IRS base budget and included in future-year budget requests, and directs IRS to do so. The Committee also directs that, to the maximum extent possible, these funds go toward increasing the numbers of IRS personnel devoted to these activities.

Taxpayer outreach and education remains essential, and the Committee notes that the improvement and expansion of education and awareness activities was identified by the TAB Phase 1 report as one of the five strategic improvement themes for taxpayer service. The TAB Phase 2 report noted that, “while the IRS offers a comprehensive outreach and education portfolio, a number of gaps between the current state and future state vision offer opportunities for improvement.” A recent TAB progress report added a TAB guiding principle that the IRS should “enhance marketing, outreach, and education to targeted populations to improve service awareness, access, and quality.”

Face-to-face service should continue to play an important role in the assistance IRS offers to taxpayers to help them comply with

their tax obligations. An additional guiding principle of the TAB is that “the IRS is committed to offering a portfolio of service options delivered across multiple channels, including face-to-face service.” In addition, as the IRS Taxpayer Advocate notes in her 2007 Annual Report, “TAB research, based on the Oversight Board survey, indicates that low income, Limited English Proficiency, and elderly taxpayers have a higher preference for [Taxpayer Assistance Centers (TACs)] and a lower preference for web channels than taxpayers as a whole.” In addition, the IRS Taxpayer Advocate has noted that during the last three years, the IRS reduced TAC staffing by nine percent, leaving most TAC offices with staffing shortages. The Committee urges IRS to use a portion of the added funding to increase TAC staffing and to expand the IRS Facilitated Self-Assistance pilot project to additional TACs.

Taxpayers continue to rely heavily upon the IRS 1-800 telephone help line service for assistance in complying with the tax code. In addition to fielding calls from taxpayers with questions about the economic stimulus payments, the 1-800 help line continues to receive millions of calls from taxpayers seeking help with tax issues.

USER FEE COLLECTIONS

The Committee is concerned about the budget assumption of \$177,655,000 in user fee collections. The budget request assumes the various appropriations accounts of IRS will be supplemented by the user fee collections, with \$127,000,000 of the fee collections supplementing the Taxpayer Services account. The Committee notes that there is risk in assuming these fee collections will materialize as projected. The IRS is directed to report to the Committee on a quarterly basis, beginning not later than 60 days after the date of enactment of this Act, with updated projections on expected user fee collections.

IRS EFFICIENCY SAVINGS ESTIMATES

The Committee notes that the Department’s fiscal year 2009 budget request for the IRS assumes various efficiency savings, including \$8,996,000 in Taxpayer Services, \$48,762,000 in Enforcement, \$23,747,000 in Operations Support, and \$151,000 in Health Insurance Tax Credit Administration. While it is important for the IRS, like all Federal agencies, to explore ways to achieve cost savings, these budget assumptions also carry risks, as the IRS would need to reduce program funding if such savings fail to materialize as projected. The Committee is greatly troubled by the findings of an August 2007 report from the Treasury Inspector General for Tax Administration (TIGTA) showing that the IRS could not validate taxpayer service savings estimates for fiscal years 2006 and 2007. In particular, the savings estimates for over \$146,000,000 in taxpayer service reengineering and program efficiencies initiatives were generally not supported and could not be validated.

TIGTA recommended that the IRS: (1) develop a thorough process for compiling the data used for IRS budget requests to help ensure the accuracy of the estimates and to facilitate a better understanding of the impact of budget reductions on operations, and (2) evaluate the extent to which estimated savings are achieved as well as the impact on IRS operations of savings that are not achieved, to assist in formulating future budget submissions and

allocations. The Committee wishes to emphasize that the IRS must be able to fully document and justify all of its projected program savings. The Committee directs IRS to report to the Committee, within 30 days of enactment of this Act, as to the steps it has taken to improve its processes for measuring savings and efficiencies.

LANGUAGE SERVICES

The Committee notes that the IRS Taxpayer Advocate has expressed concerns in recent years about the lack of availability of certain IRS services, forms, and publications in languages other than English, even though six percent of taxpayers do not speak English at home. The IRS has made progress in this area in recent years, including the establishment of a Spanish-language version of the “Where’s My Refund?” feature earlier this year. However, the Committee believes that more can and should be done to allow taxpayers with limited English proficiency to communicate with the IRS. The Committee concurs with the observation of the IRS Taxpayer Advocate that the IRS should translate a broader range of documents, not just education and outreach materials, but also forms and examination and collection notices.

In addition, the Committee is concerned by the findings of an August 2007 TIGTA report regarding the IRS 1–800 help line service. Specifically, the report showed that for the 2007 filing season, the quality and level of customer service for Spanish-speaking taxpayers was lower than that provided for English-speaking taxpayers. In addition, the accuracy rate for tax answers provided by the IRS to Spanish-speaking taxpayers was lower than that for English-speaking taxpayers. The Committee concurs with TIGTA’s recommendation that the IRS monitor the performance for the Spanish language applications and take appropriate corrective actions if performance does not improve. The Committee directs IRS to report to the Committee within 30 days of enactment of this Act on the status of the quality and level of customer service for Spanish language applications on the IRS 1–800 help line, along with any IRS corrective actions planned or implemented to improve performance.

ACCURACY OF TAXPAYER ASSISTANCE BLUEPRINT INFORMATION

While the Committee strongly supports the work of the IRS, in consultation with the IRS Oversight Board and the IRS Taxpayer Advocate, to develop the congressionally-mandated Taxpayer Assistance Blueprint (TAB), the Committee is concerned by recent findings of TIGTA showing that not all data that went into the TAB was accurate and/or consistent.

The Committee is especially disturbed by the findings of a May 2007 TIGTA report showing that inaccurate and incomplete data have adversely affected implementation of the Taxpayer Assistance Center (TAC) geographic footprint study. TACs provide an array of important services to taxpayers both during and after tax filing season, but as the IRS Taxpayer Advocate has noted, TACs are within 30 minutes drive time of only 60 percent of the population.

Since fiscal year 2003, TIGTA has reported on the inability of the IRS to compile and maintain accurate and complete management information to oversee and measure the effectiveness of its TAC

program. TIGTA notes that key management information used to make decisions and support program changes continues to be either absent or based on inaccurate or incomplete data. This hinders the ability of the IRS to make appropriate decisions when determining TAC locations and the services they provide taxpayers. It has also delayed the IRS in making any decisions on the TAC Geographic Footprint, one of the initiatives within the Taxpayer Assistance Blueprint. In addition, the Committee is concerned by TIGTA's finding that the IRS is still unable to measure how closing TACs might affect taxpayers and tax compliance. The Committee directs that the IRS, in consultation with the IRS Taxpayer Advocate, report to the Committee within 90 days of enactment of this Act on improvements being made in the process for making decisions about TAC services and locations, including progress in addressing the recommendations of TIGTA in this area.

In addition, the Committee directs the IRS, together with the IRS Oversight Board and the IRS Taxpayer Advocate, to submit to the Committee, within 90 days after the date of enactment of this Act, an update to the TAB, detailing its implementation status and identifying any changes to the TAB.

IRS SUBMISSION PROCESSING CONSOLIDATION

The IRS has stated that it would achieve millions of dollars in cost savings as a result of the consolidation of IRS processing centers for paper tax returns. However, the Committee is concerned about the findings of an August 2007 TIGTA report that showed that the IRS had not provided adequate information about the actual results from the first two processing center closures. In addition, the IRS business decision to consolidate the processing centers did not include a cost-benefit analysis. Consequently, the IRS did not set financial goals for the consolidation, and thus has not had an incentive to determine how efficient its decisions have been. While the IRS has continued to successfully process individual income tax returns while implementing the consolidation, the report cited several unanticipated developments at the Fresno, CA processing site due to increased tax return volume, including delays in processing returns and a possible staffing shortfall. The Committee strongly urges the IRS, prior to future processing center closures, to have the IRS Project Management Office complete a cost-benefit analysis, as recommended by TIGTA, to determine if the existing submission processing consolidation plan is optimal in terms of cost savings and operational effectiveness.

TELEFILE

The Committee notes that TeleFile, an option for the filing of certain tax returns using a touch-tone telephone, previously existed throughout the country from 1996 to 2005, before being eliminated by the IRS. In a July 2007 report, TIGTA has noted that the elimination of Telefile has increased the cost and burden of filing for many taxpayers. TIGTA also noted that the IRS could not justify or document the \$5,000,000 that the IRS claimed it saved annually by eliminating TeleFile.

Of the approximately 2 million individual taxpayers who had filed their tax returns through TeleFile in 2005 and would have remained eligible to file their income tax returns for free had the pro-

gram continued, TIGTA estimates that more than 541,000 taxpayers paid approximately \$23,600,000 to file their tax returns in 2006. In addition, approximately 966,000 taxpayers who had used TeleFile reverted to filing paper tax returns once TeleFile was eliminated. Filing a paper tax return increases the amount of time it takes for a taxpayer to receive a refund. Furthermore, since the cost to the IRS of processing paper tax returns is significantly higher than the cost of processing returns via a TeleFile system, this has increased the IRS's own processing costs as well.

The Committee is aware that more than 60 percent of taxpayers rely on paid preparers to file their returns, and that many of the remaining taxpayers file tax returns that are too complex to be processed via a TeleFile system. At the same time, however, both the IRS and a great many taxpayers, particularly those who lack Internet access and who currently file paper 1040EZ returns, would benefit from the availability of a TeleFile option. As the IRS continues to explore options for increasing the rate of e-filing and reducing IRS submission processing costs, the Committee urges the IRS to consider reinstituting and promoting a TeleFile option. Such an option could save IRS tax return processing costs, increase the speed of refund issuance, and save time, cost, and paperwork burden for millions of taxpayers.

ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$4,780,000,000
Budget request, fiscal year 2009	5,117,267,000
Recommended in the bill	5,117,267,000
Bill compared with:	
Appropriation, fiscal year 2008	+337,267,000
Budget request, fiscal year 2009	---

The Enforcement appropriation provides for the examination of tax returns, both domestic and international; the administrative and judicial settlement of taxpayer appeals of examination findings; technical rulings; monitoring employee pension plans; determining qualifications of organizations seeking tax-exempt status; examining tax returns of exempt organizations; enforcing statutes relating to detection and investigation of criminal violations of the internal revenue laws; identifying underreporting of tax obligations; securing unfiled tax returns; and collecting unpaid accounts.

COMMITTEE RECOMMENDATION

The Committee recommends \$5,117,267,000 for Enforcement. Of the funds provided, the Committee recommends \$57,252,000 to support IRS activities under the Interagency Crime and Drug Enforcement program and allows up to \$10,000,000 to be transferred to Operations Support for the purposes of the Interagency Crime and Drug Enforcement program.

EARNED INCOME TAX CREDIT

The Committee has shared the past concerns expressed by the IRS National Taxpayer Advocate with regard to prolonged delays in the issuance of many Earned Income Tax Credit (EITC) refunds. The IRS Taxpayer Advocate found that the majority of these refund

freezes were not fraudulent, but were in fact the legitimate EITC claims of low-income taxpayers who qualified for the EITC. While the Taxpayer Advocate has more recently noted the progress that IRS has made in ensuring that EITC refunds are not unfairly delayed, the Committee urges the IRS to continue to work to ensure that legitimate EITC refunds are not delayed, as such refunds comprise a significant portion of the eligible taxpayer's annual income.

In addition, the Committee is greatly concerned about the findings of a research study conducted by the IRS Taxpayer Advocate on EITC audit practices. Specifically, the study showed that taxpayers who are represented during an EITC audit are nearly twice as likely to be found eligible for the EITC than taxpayers without representation, even though relatively few EITC taxpayers obtain representation for their audit. The study noted that some will argue that represented taxpayers fare better in EITC audits "because compliant taxpayers seek out representation; however an analysis * * * showed that this presumption is not well founded." The study further found that more than half of audited taxpayers had difficulties obtaining documents requested by the IRS, and more than half reported that the IRS took more than 30 days to acknowledge receipt of their documentation or provided no acknowledgement. In addition, EITC audit notification letters from the IRS were often found to be difficult to understand.

The IRS Taxpayer Advocate has made a number of recommendations to the IRS to improve this process. For example, the Advocate recommends that the IRS revise its EITC audit letters, so that the letters specifically state that the taxpayer's tax return is being audited, along with the specific issues of the audit, what the taxpayer must do to resolve each issue, and how the requested documentation relates to the issue in question. The Advocate has also recommended that the IRS provide timely acknowledgements of all documentation and materials received from the taxpayer, and work to increase taxpayer awareness of the legal assistance available at Low Income Taxpayer Clinics, among other recommendations. The Committee directs IRS to report to the Committee, within 90 days of enactment of this Act, on progress made in addressing the recommendations of the IRS Taxpayer Advocate in this area.

PAID PREPARERS

The Committee notes that over 60 percent of all individual tax returns are prepared by paid preparers. GAO, in an April 2008 report, noted that the IRS faces limitations in identifying paid preparers and monitoring their performance. Although the vast majority of paid preparers are law abiding, a more reliable system to identify paid preparers and to match tax returns with paid preparers would enable the IRS to more effectively detect patterns of noncompliance and tax fraud associated with problem preparers. The Committee understands that the IRS, in response to recommendations made by GAO, is currently considering several options to improve identification, education and outreach to paid preparers, including the use of a single identification number for paid preparers. The Committee directs IRS to report to the Committee, within 120 days of enactment of this Act, on the status of IRS efforts to improve its system for identifying paid preparers.

OPERATIONS SUPPORT

Appropriation, fiscal year 2008*	\$3,680,059,000
Budget request, fiscal year 2009	3,856,172,000
Recommended in the bill	3,833,127,000
Bill compared with:	
Appropriation, fiscal year 2008	+153,068,000
Budget request, fiscal year 2009	-23,045,000

*The IRS also received a one-time, supplemental fiscal year 2008 appropriation of \$151,415,000 for its additional workload resulting from P.L. 110-185, the Economic Stimulus Act of 2008.

The Operations Support appropriation provides for overall planning and direction of the IRS, including shared service support related to facilities services, rent payments, printing, postage, and security; other support functions that are considered overhead but essential to the successful operation of IRS programs including resources for headquarters management activities, including IRS-wide support for strategic planning, communications and liaison, finance, human resources, EEO and diversity; research and statistics of income; and necessary expenses for information systems and telecommunication support, including developmental information systems and operational information systems.

COMMITTEE RECOMMENDATION

The Committee recommends \$3,833,127,000 for Operations Support, \$23,045,000 below the request and \$153,068,000 above the amounts provided in fiscal year 2008. The Committee has not included \$23,045,000 requested for IRS implementation of various Administration legislative proposals, as it is unclear if these proposals will be enacted in time for the implementation of the fiscal year 2009 IRS budget. Of the funds provided, not less than \$2,000,000 is for the IRS Oversight Board, up to \$25,000 is for official reception and representation expenses, \$1,000,000 is available until September 30, 2011 for research, and up to \$75,000,000 is available until September 30, 2010 for information technology support.

RETURN ON INVESTMENT CALCULATIONS

The Department's fiscal year 2009 budget request for IRS includes Return on Investment (ROI) calculations for the proposed new enforcement initiatives. GAO, in its analysis of the budget request, has noted that expanding the use of ROI calculations, to include not just new enforcement initiatives but other parts of the IRS budget as well, could assist Congress in making fully informed resource allocation decisions. Although GAO notes that developing ROI information beyond IRS's new enforcement initiatives will be a challenge, the Committee encourages the Department, in future-year IRS budget submissions, to expand the use of ROI estimates as much as practicable.

INFORMATION SECURITY

The IRS processes and maintains personally identifiable information for more than 130 million taxpayers. The security of this information is of paramount importance. As TIGTA has noted, internal factors, such as the increased connectivity of computer systems and greater use of portable laptop computers, and external factors, such as the volatile threat environment related to increased phishing

scams and hacker activity, contribute to the risk that sensitive data could be compromised.

The IRS has taken several important steps to protect taxpayer data. For example, as TIGTA notes, it has established a Security Services and Privacy Executive Steering Committee to serve as the primary governance body for all matters relating to security and privacy issues in the IRS. It has made steady progress each year in complying with the requirements of the Federal Information Security Management Act. In addition, IRS has recently established a new office of Privacy, Information Protection and Data Security to: (1) improve public, preparer and external stakeholder awareness of privacy policies, procedures, and general information, and (2) improve the IRS response to taxpayers and practitioners who fall victim to data loss incidents, identity theft, or online fraud.

At the same time, however, recent findings from GAO and TIGTA demonstrate that the IRS must do more to help safeguard taxpayer information and prevent further potential cases of identity theft. In January 2008, GAO reported that about 70 percent of the previously identified information security weaknesses remained unresolved. GAO also reported that, "IRS continues to, among other things, use passwords that are not complex, grant excessive access to individuals who do not need it, and install patches in an untimely manner." One recent example of these weaknesses occurred when TIGTA auditors found that more than 60 percent of sampled IRS personnel distributed passwords over the phone without first seeking to validate the identity and access permission of the individuals seeking the passwords. The GAO report emphasized that the IRS has not yet fully implemented its agencywide information security program to ensure that controls are appropriately designed and operating effectively.

TIGTA has also reported recently that because the IRS logs computer transactions on so few applications, it has no way to conduct the type of proper intrusion investigations that are needed to hold individuals accountable for unauthorized transactions and disclosures. The IRS has even failed to address this requirement during the development of its modernized systems.

TIGTA has further reported that while the IRS's identity theft program has primarily focused on public outreach and education, IRS processes and procedures have been inadequate in reducing the burden for taxpayers who have been victimized. For example, the IRS Automated Underreporter function contacted taxpayers multiple times for the same tax compliance issues, even though these taxpayers' cases were previously marked as closed due to a finding of identity theft.

In light of these and other concerns expressed by GAO, TIGTA, the IRS Taxpayer Advocate and others, the Committee expects IRS to work diligently to identify and remedy weaknesses in IRS information security and in IRS handling of cases of identity theft. The IRS is directed to report to the Committee within 90 days of enactment of this Act on the status of efforts to improve IRS information security and IRS handling of cases of identity theft.

IRS MANAGEMENT OF PAPER CASE FILES

The Committee is concerned about the findings of a September 2007 GAO report noting that there are significant problems in the

management of paper case files at the IRS. In particular, the report noted that the IRS does not have an effective process for ensuring that paper case files can be located within the requesters' time frames. As the report notes, when the IRS cannot locate paper case files, "it may attempt to re-create them by requesting information from taxpayers, which can result in unnecessary taxpayer burden." The report further notes that difficulties in locating case files can also hinder congressional oversight, by preventing Congress, GAO, TIGTA, and others from obtaining reliable and thorough information about the internal processes of the IRS.

The Committee is encouraged that the IRS has agreed it needs to review its paper case file management program, and that the IRS has formed a cross-functional group to identify improvements and consider GAO's recommendations. The Committee directs IRS to report to the Committee, within 60 days of enactment of this Act, on progress being made in improving IRS paper case file management.

BUSINESS SYSTEMS MODERNIZATION

Appropriation, fiscal year 2008	\$267,090,000
Budget request, fiscal year 2009	222,664,000
Recommended in the bill	222,664,000
Bill compared with:	
Appropriation, fiscal year 2008	- 44,426,000
Budget request, fiscal year 2009	- - -

The Business Systems Modernization appropriation provides funding to modernize key business systems of the Internal Revenue Service.

COMMITTEE RECOMMENDATION

The Committee recommends \$222,664,000 for Business Systems Modernization (BSM), the same as the budget request and \$44,426,000 below the amounts provided in fiscal year 2008. Consistent with previous years, the release of the funds, with the exception of funding for labor costs, is subject to the approval by the Committees on Appropriations of a GAO-reviewed expenditure plan. The Department is directed to notify the Committee, within seven days, if BSM management funds are reallocated to the capital asset acquisition program.

As GAO has noted, the IRS continues to make progress in implementing BSM projects and in meeting cost and schedule commitments for most deliverables. However, three recent project milestones experienced significant cost or schedule delays. The IRS continues to make progress in addressing high-priority BSM program improvement initiatives and has taken steps to address prior GAO recommendations to improve its modernization management controls and capabilities. However, more work remains to fully implement GAO's recommendations, including steps to complete the Modernization Vision and Strategy, as well as steps to continue to address human capital challenges and information security weaknesses.

GAO also notes that future BSM project releases, especially the Customer Account Data Engine (CADE) and Accounts Management Services (AMS) projects, continue to face significant risks and issues that could impact overall cost and schedule estimates. The

Committee is encouraged that IRS has developed mitigation strategies to address these risks. The Committee expects IRS to work diligently to improve the BSM program, including efforts to address the related concerns highlighted by GAO and TIGTA, and to immediately report to the Committee any delays or cost overruns associated with BSM efforts.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

Appropriation, fiscal year 2008	\$15,235,000
Budget request, fiscal year 2009	15,406,000
Recommended in the bill	15,406,000
Bill compared with:	
Appropriation, fiscal year 2008	+171,000
Budget request, fiscal year 2009	— — —

The Health Insurance Tax Credit Administration appropriation provides contractor support to develop and administer the advance payment option for the health insurance tax credit included in Public Law 107–210, the Trade Act of 2002.

COMMITTEE RECOMMENDATION

The Committee recommends \$15,406,000 for Health Insurance Tax Credit Administration, the same as the budget request and \$171,000 above the amount provided in fiscal year 2008.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

Section 101. The Committee continues a provision that allows for the transfer of five percent (three percent in the case of Enforcement) of any appropriation made available to the IRS to any other IRS appropriation, upon the advance approval of the Committees on Appropriations.

Section 102. The Committee continues a provision that requires the IRS to maintain a training program in taxpayer rights, dealing courteously with taxpayers, and cross-cultural relations.

Section 103. The Committee continues a provision that requires the IRS to institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

Section 104. The Committee continues a provision that makes funds available for improved facilities and increased manpower to provide efficient and effective 800 number help line service for taxpayers.

Section 105. The Committee includes a provision directing that not less than \$6,997,000,000 shall be available for tax enforcement and related support activities funded in the Enforcement and Operations Support accounts, and that an additional \$490,000,000 shall be available for tax enforcement and related support activities. The provision further provides that up to one percent of Operations Support funding in support of tax enforcement activities may be transferred to taxpayer service related support activities, upon notification of the House and Senate Appropriations Committees.

Section 106. The Committee includes a provision prohibiting funds made available in this Act from being used to enter into, renew, extend, administer, implement, enforce, or provide oversight of any qualified tax collection contract (as defined in section 6306

of the Internal Revenue Code of 1986). The Committee continues to seriously question the efficacy of this program, which allows private debt collection companies to collect unpaid taxes and to pocket up to 24 percent of the taxes as a commission. The wastefulness of this program is becoming more and more apparent. For more than two years now, senior officials at the IRS have acknowledged that these same tax cases could be pursued with less expense by employees of the IRS, as the IRS would not be required to forfeit up to 24 percent of the taxes it collects on its own.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY
(INCLUDING TRANSFER OF FUNDS)

Section 107. The Committee continues a provision that allows the Department of the Treasury to purchase uniforms, insurance, and motor vehicles without regard to the general purchase price limitations, and enter into contracts with the State Department for health and medical services for Treasury employees in overseas locations.

Section 108. The Committee continues a provision that authorizes transfers, up to two percent, between “Departmental Offices—Salaries and Expenses”, “Office of the Inspector General”, “Financial Management Service”, “Alcohol and Tobacco Tax and Trade Bureau”, “Financial Crimes Enforcement Network”, and the “Bureau of the Public Debt” appropriations under certain circumstances.

Section 109. The Committee continues a provision that authorizes transfer, up to two percent, between the Internal Revenue Service and the Treasury Inspector General for Tax Administration under certain circumstances.

Section 110. The Committee continues a provision limiting funds for the purchase of law enforcement vehicles unless the purchase is consistent with vehicle management principles.

Section 111. The Committee continues a provision that prohibits the Department of the Treasury from undertaking a redesign of the one dollar Federal Reserve note.

Section 112. The Committee continues a provision that provides for transfers from and reimbursements to “Financial Management Service, Salaries and Expenses” for the purposes of debt collection.

Section 113. The Committee continues a provision extending the pay demonstration program.

Section 114. The Committee continues a provision that requires Congressional approval for the construction and operation of a museum by the United States Mint.

Section 115. The Committee continues a provision prohibiting funds in this Act from being used to merge the Mint and the Bureau of Engraving and Printing without the approval of the House and Senate committees of jurisdiction.

Section 116. The Committee includes a provision deeming that funds for the Department of the Treasury’s intelligence-related activities are specifically authorized in fiscal year 2009 until enactment of the Intelligence Authorization Act for fiscal year 2009.

TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

These funds provide for the compensation of the President as well as official expenses of the Executive Office of the President, as authorized by title 3, United States Code.

COMPENSATION OF THE PRESIDENT

Appropriation, fiscal year 2008	\$450,000
Budget request, fiscal year 2009 ¹	450,000
Recommended in the bill	450,000
Bill compared with:	
Appropriation, fiscal year 2008	---
Budget request, fiscal year 2009	---

¹ Proposed in a consolidated appropriation titled "The White House".

These funds provide for the compensation of the President, including an expense allowance as authorized by 3 U.S.C. 102.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$450,000 for Compensation of the President, including an expense allowance of \$50,000. These are the same as amounts appropriated in fiscal year 2008 and the same as requested by the President. The bill specifies that any unused amount shall revert to the Treasury consistent with 31 U.S.C. 1552.

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$51,656,000
Budget request, fiscal year 2009 ¹	52,499,000
Recommended in the bill	53,899,000
Bill compared with:	
Appropriation, fiscal year 2008	+2,243,000
Budget request, fiscal year 2009	+1,400,000

¹ Proposed in a consolidated appropriation titled "The White House".

The Salaries and Expenses account of the White House Office supports staff and administrative services necessary for the direct support of the President, including costs for the Homeland Security Council.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$53,899,000 for the White House Office, which is \$2,243,000 more than the fiscal year 2008 level and \$1,400,000 above the request.

The recommendation includes \$1,400,000 for a White House Office of National AIDS Policy. The Committee calls on the new Administration to develop and implement a National AIDS Strategy that engages multiple sectors in strategy development, is comprehensive across Federal agencies, sets timelines and assigns responsibility for implementing changes, identifies targets for improved prevention and treatment outcomes and reduced racial disparities, and mandates annual reporting on progress.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

Appropriation, fiscal year 2008	\$12,814,000
Budget request, fiscal year 2009 ¹	13,363,000
Recommended in the bill	13,363,000
Bill compared with:	
Appropriation, fiscal year 2008	+549,000
Budget request, fiscal year 2009	— —

¹ Proposed in a consolidated appropriation titled "The White House".

These funds provide for the care, maintenance, and operation of the Executive Residence, including official and ceremonial functions of the President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$13,363,000 for the operating expenses of the Executive Residence, an increase of \$549,000 from the amounts appropriated in fiscal year 2008 and the same as the amounts requested by the President. The bill includes the same restrictions on reimbursable expenses for use of the Executive Residence as were enacted in fiscal year 2008.

WHITE HOUSE REPAIR AND RESTORATION

Appropriation, fiscal year 2008	\$1,600,000
Budget request, fiscal year 2009 ¹	1,600,000
Recommended in the bill	1,600,000
Bill compared with:	
Appropriation, fiscal year 2008	— —
Budget request, fiscal year 2009	— —

¹ Proposed in a consolidated appropriation titled "The White House".

Funding in this account provides for the repair, alteration, and improvement of the Executive Residence at the White House.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$1,600,000 for White House Repair and Restoration, which is the same as the amount provided in fiscal year 2008 and the amount requested by the President. Included in this appropriation is funding of transition expenses relating to the departure of the outgoing First Family and the arrival of the incoming First Family.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$4,118,000
Budget request, fiscal year 2009 ¹	4,118,000
Recommended in the bill	4,118,000
Bill compared with:	
Appropriation, fiscal year 2008	— —
Budget request, fiscal year 2009	— —

¹ Proposed in a consolidated appropriation titled "The White House".

The Council of Economic Advisers analyzes the national economy and its various segments, advises the President on economic developments, recommends policies for economic growth and stability, appraises economic programs and policies of the Federal Government, and assists in preparation of the annual Economic Report of the President to Congress.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$4,118,000 for the Council of Economic Advisers, which is the same as the amount provided in fiscal year 2008 and the amount requested by the President.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$3,482,000
Budget request, fiscal year 2009 ¹	3,550,000
Recommended in the bill	3,550,000
Bill compared with:	
Appropriation, fiscal year 2008	+68,000
Budget request, fiscal year 2009	— —

¹ Proposed in a consolidated appropriation titled "The White House".

The Office of Policy Development supports the National Economic Council and the Domestic Policy Council in carrying out their responsibilities to advise and assist the President in the formulation, coordination, and implementation of economic and domestic policy. The Office of Policy Development also provides support for other domestic policy development and implementation activities, as directed by the President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$3,550,000 for the Office of Policy Development, an increase of \$68,000 above the amount enacted in fiscal year 2008 and the same as the request.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$8,640,000
Budget request, fiscal year 2009 ¹	9,029,000
Recommended in the bill	9,029,000
Bill compared with:	
Appropriation, fiscal year 2008	+389,000
Budget request, fiscal year 2009	— —

¹ Proposed in a consolidated appropriation titled "The White House".

The National Security Council advises the President on the integration of domestic, foreign, and military policies relating to national security.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$9,029,000 for the National Security Council, an increase of \$389,000 above the amount appropriated in fiscal year 2008 and the same as requested by the President.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$91,745,000
Budget request, fiscal year 2009 ¹	105,919,000
Recommended in the bill	95,633,000
Bill compared with:	
Appropriation, fiscal year 2008	+3,888,000
Budget request, fiscal year 2009	– 10,286,000

¹ Proposed in a consolidated appropriation titled “The White House”.

The Office of Administration is responsible for providing cost-effective administrative services to the Executive Office of the President. These services, defined by Executive Order 12028 of 1977, include financial, personnel, library and records services, information management systems support, and general office services.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$95,633,000 for the Office of Administration, an increase of \$3,888,000 above the amount appropriated in fiscal year 2008 and a decrease of \$10,286,000 below the amount requested by the President.

Space rent.—The Committee recommendation does not include adoption of the request to move rental payments of the Office of Management and Budget (OMB) and the Office of National Drug Control Policy (ONDCP) to the Office of Administration. The Committee recommends funding for OMB rent (\$7,172,000) and ONDCP rent (\$3,114,000) under their respective headings for “Salaries and Expenses” and provides the same levels of funding as the President’s request.

Records preservation.—The Committee takes seriously the importance of preserving official Presidential records and is extremely concerned about revelations that the White House cannot account for hundreds of days of e-mails processed between 2003 and 2005. There are also some concerns about White House officials using a non-government e-mail system from the Republican National Committee to conduct official government business and that the e-mail records relating to such official business are now lost. The establishment of reliable systems and procedures to ensure that electronic Presidential records are preserved is absolutely essential. These records belong to the American people and contribute to the historical record of the Presidency. As an example, the missing White House e-mails were created during a period in which important policy decisions were being made regarding the Iraq war. The Committee strongly urges the incoming Administration to establish comprehensive policies and procedures for the preservation of all Presidential records, in keeping with the Presidential Records Act, the Federal Records Act, and other pertinent laws. The new Administration shall submit a report to the Committee no later than June 30, 2009 describing actions it is taking to implement such policies and procedures, as well as the estimated costs, by program, activity, and fiscal year, of new systems, staff, or other resources needed to ensure the preservation of electronic Presidential records.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$78,000,000
Budget request, fiscal year 2009	72,800,000
Recommended in the bill	79,972,000
Bill compared with:	
Appropriation, fiscal year 2008	+1,972,000
Budget request, fiscal year 2009	+7,172,000

The Office of Management and Budget assists the President in the discharge of budgetary, economic, management, and other executive responsibilities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$79,972,000 for the Office of Management and Budget (OMB), an increase of \$1,972,000 above the amount appropriated in fiscal year 2008 and \$7,172,000 above the amount requested by the President.

The Committee recommends \$7,172,000 under this heading for rental payments to GSA instead of providing these funds under the heading "Office of Administration". The Committee also recommends a limitation of \$3,000 for official representation expenses as requested by the President.

The Committee recommendation continues several long-standing provisos, not requested by the President, concerning uses of funds within this Act and requirements on OMB.

Contracting oversight.—The value of Federal contracts has increased significantly under the current Administration, to well over \$400 billion. In other words, about 40 cents of every discretionary dollar appropriated is going into contracts. However, Executive Branch oversight of many contracts is seriously deficient. OMB's Office of Federal Procurement Policy (OFPP) should be playing a central role in coordinating contracting oversight government-wide, but it appears to be more focused on promoting the questionable practice of converting work performed by Federal employees to performance by contractors. OFPP is a relatively small office of 15 staff, so it should be directing its limited resources toward promoting vigorous contracting oversight rather than spearheading workforce conversion policies of little value. The Committee strongly urges the incoming Administration to refocus OFPP's efforts toward effective oversight.

"E-Government" initiatives.—The Committee notes that it continues a government-wide general provision that precludes the use of funds for "E-Government" initiatives (including Lines of Business) prior to consultation with and approval by the Committee on Appropriations. The Committee appreciates the efforts made by OMB and agencies to provide requested information on these initiatives during fiscal year 2008 but is disappointed that the Administration proposed to delete this provision. The Committee will continue to exercise its authority to oversee the uses of these appropriated funds and to approve or disapprove how those funds are to be used. While many of these initiatives are worthwhile, the Committee continues to be concerned that OMB uses the E-Government funding model to force its management and funding priorities on agencies that would otherwise choose other approaches to serve the

public and manage their operations. OMB and all agencies should work directly with the pertinent appropriations subcommittees in advance of transferring funds relating to E-Government or Lines of Business.

Purchase cards.—The Committee is troubled by an April 2008 report by the Government Accountability Office (GAO) on use of purchase cards. While purchase cards help agencies lower transaction costs for small purchases and provide procurement flexibility, GAO found that 41 percent of the transactions made with purchase cards between July 2005 and June 2006 did not follow proper procedures. Highly questionable and troublesome transactions included purchases of tailor-made suits, lingerie and Internet dating services. In addition, GAO was unable to locate several hundred of the items bought with purchase cards. Purchase card internal control weaknesses are exposing the Federal government to waste, fraud and abuse. The Committee appreciates that OMB is providing guidance to Federal agencies to address these internal control weaknesses. OMB is directed to report to the Committee within 60 days of enactment of this Act on actions taken to implement GAO's recommendations and improve purchase card internal controls.

Printing of the President's budget.—The Committee disagrees with OMB's decision to end the practice of providing printed copies of the President's budget to Congress. By implementing this decision, OMB failed to meet its responsibility for giving Congress the materials it needs to properly and thoroughly evaluate the President's budget. Committees and Members' offices frequently rely on the printed budget as one of many tools to analyze the President's proposals, and the Government Printing Office incurred the expense of providing the necessary copies to congressional offices. OMB's decision appeared to be a matter of shifting costs to the Legislative Branch from the Executive Branch. The Committee expects OMB to provide Congress with printed copies of future budgets of the President.

OMB involvement with the Integrated Risk Information System (IRIS) at the Environmental Protection Agency (EPA).—EPA's Integrated Risk Information System (IRIS) is a critical component of EPA's capacity to support scientifically sound environmental decisions, policies, and regulations. The results of IRIS assessments are used by both State and Federal regulators to help inform environmental health regulation and management decisions. In 2004, OMB initiated an interagency review of all IRIS assessments. The Committee is aware that despite increased funding for the IRIS program, the number of completed IRIS assessments has decreased since OMB and in particular, their Office of Information and Regulatory Affairs (OIRA) became involved in the process. According to the Government Accountability Office (GAO), 32 draft assessments were sent for external review in fiscal years 2006 and 2007, but only four IRIS assessments were finalized; an unacceptable number. Therefore, the Committee directs OMB and EPA to aggressively pursue completion of pending IRIS assessments, such as trichloroethylene (TCE), which has been under review by IRIS since 1998.

OFFICE OF NATIONAL DRUG CONTROL POLICY

The Committee's recommendation for overall funding for the programs under the purview of the Office of National Drug Control Policy (ONDCP) is \$422,011,000, which is roughly equivalent to the fiscal year 2008 enacted level. The Committee notes two reviews of ONDCP that are currently being conducted: a Government Accountability Office review of grant management and other funding systems and a National Academy of Public Administration review of organization and management. The Committee believes that these reviews will be of assistance to both Congress and the Administration in ensuring the long-term effectiveness of this agency. The Committee looks forward to receiving these reviews and will use the information within them to help shape future funding allocations within ONDCP.

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$26,402,000
Budget request, fiscal year 2009	23,697,000
Recommended in the bill	26,011,000
Bill compared with:	
Appropriation, fiscal year 2008	- 391,000
Budget request, fiscal year 2009	+2,314,000

The Office of National Drug Control Policy Reauthorization Act of 2006 charges the Office of National Drug Control Policy, established by the Anti-Drug Abuse Act of 1988, with developing policies, objectives and priorities for the National Drug Control Program.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$26,011,000 for ONDCP salaries and expenses, a decrease of \$391,000 from the enacted fiscal year 2008 level and an increase of \$2,314,000 over the President's request. Of the amount appropriated, \$500,000 is for policy research and evaluation, which is an increase of \$250,000 over the fiscal year 2008 level and a decrease of \$800,000 from the President's request.

The Committee recommendation supports the requested level of 109 FTEs.

The Committee recommends \$3,114,000 under this heading for rental payments to GSA instead of providing these funds under the heading "Office of Administration" as proposed in the President's budget.

The Committee continues to be concerned with methamphetamine production, trafficking and abuse. The Committee is pleased that on a national basis domestic production has decreased dramatically since 2004. However, according to the National Drug Intelligence Center's National Methamphetamine Threat Assessment 2008, decreases in domestic methamphetamine production have been offset by increased production in Mexico of high-purity ice methamphetamine for U.S. distribution by Mexican drug trafficking organizations. The Committee directs ONDCP to continue its efforts to work with various agencies, such as the Departments of Justice, State, Homeland Security and Health and Human Services, along with State and local governments, to develop and imple-

ment strategies to reduce the demand for and supply of methamphetamine in the U.S.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$1,000,000
Budget request, fiscal year 2009	5,000,000
Recommended in the bill	1,000,000
Bill compared with:	
Appropriation, fiscal year 2008	— — —
Budget request, fiscal year 2009	— 4,000,000

Pursuant to title IV of the Office of National Drug Control Policy Reauthorization Act of 2006, the Counterdrug Technology Assessment Center serves as the central counterdrug research and development organization for the United States Government.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$1,000,000 for the Counterdrug Technology Assessment Center, the same as the fiscal year 2008 enacted level and a decrease of \$4,000,000 below the President's request. The appropriation provides for counter-narcotics research and development.

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$230,000,000
Budget request, fiscal year 2009	200,000,000
Recommended in the bill	230,000,000
Bill compared with:	
Appropriation, fiscal year 2008	— — —
Budget request, fiscal year 2009	+30,000,000

The High Intensity Drug Trafficking Areas (HIDTA) Program was established by the Director of ONDCP pursuant to section 1005 of the Anti-Drug Abuse Act of 1988, and now as reauthorized by title III of the Office of National Drug Control Policy Act of 2006 to provide assistance to Federal, State and local law enforcement entities operating in those areas most adversely affected by drug trafficking.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$230,000,000 for the HIDTA Program, the same as the fiscal year 2008 level and \$30,000,000 above the President's request.

The HIDTA program serves to enhance and coordinate drug control effects among local, State, and Federal law enforcement agencies in order to eliminate or reduce drug trafficking, and the Committee supports a vigorous HIDTA program. To achieve its mission, the HIDTA program must continue to enhance individual and national performance and work to develop a system that enhances the synchronization of drug control efforts.

The Committee includes language requiring that existing HIDTAs receive funding at least equal to the fiscal year 2008 initial allocation level or \$3,000,000, whichever is greater. The fiscal year 2009 initial allocation level (before the distribution of discre-

tionary funds) may not exceed \$47,457,447 for any individual HIDTA.

The recommendation assumes \$11,939,987 in discretionary funds for the HIDTA program. The Committee expects ONDCP to work closely with the HIDTA Directors to develop a spending plan for the use of these discretionary funds.

The Committee includes a new provision allowing unexpended funds obligated prior to fiscal year 2007 for programs addressing the treatment or prevention of drug use to be used for other approved HIDTA activities. The Committee expects to be notified of any proposed change in the use of such funds at least 30 days prior to the reallocation of the funds.

The Committee recognizes the National HIDTA Assistance Center for providing programmatic support to the HIDTA program to include training, financial management/audit review and other essential services.

The Committee recommendation specifies that up to \$2,100,000 may be used for auditing services and related activities.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$164,300,000
Budget request, fiscal year 2009	189,685,000
Recommended in the bill	165,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+700,000
Budget request, fiscal year 2009	-24,685,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$165,000,000 for Other Federal Drug Control Programs, an increase of \$700,000 above the enacted fiscal year 2008 level and \$24,685,000 below the President's request. The Committee recommends funding for the following programs for fiscal year 2009:

Drug Free Communities	\$90,000,000
Training and technical assistance for drug court professionals	1,500,000
National Alliance for Model State Drug Laws	1,250,000
National Youth Anti-Drug Media Campaign	60,000,000
United States Anti-Doping Agency	10,100,000
World Anti-Doping Agency dues	1,900,000
National Drug Control Program performance measures	250,000

The Committee recommends an appropriation of \$60,000,000 for the National Youth Anti-Drug Media Campaign, which is the same as the level enacted in fiscal year 2008 and \$40,000,000 below the President's request. The Committee does not support an increase in funding for the Campaign until ONDCP is able to demonstrate the effectiveness of the Campaign through improved outcome evaluations and evidence of its positive influence on behavior. The Committee notes that ONDCP plans to contract for an independent evaluation of the Campaign during fiscal year 2009.

The Committee believes that the scope of the Campaign should include emerging drug threats such as prescription and over-the-counter drug abuse and inhalant abuse. While recent efforts to highlight prescription drug abuse have helped, more can be done to raise the awareness of parents and youth. Inhalant abuse is particularly tragic and dangerous, with the possibility of death even

with only one use. While the Campaign has emphasized marijuana use due to its prevalence among youth, ONDCP should reevaluate the focus of the Campaign to ensure it adequately addresses youth behavior and beliefs regarding these emerging threats. In addition, the Committee believes that the Campaign should address more than just national drug threats but should work to address regional and local drug threats by complementing existing State and local drug prevention initiatives.

The Committee continues bill language to maintain funding for non-advertising services for the Media Campaign at no less than the fiscal year 2003 ratio of service funding to total funds. These activities should continue to include special initiatives designed to reach Hispanic audiences and engage private sector participation in the program.

The Committee continues to support efforts to demonstrate the harmful consequences of using performance-enhancing drugs. The Committee is encouraged that representatives of major professional sports leagues, the U.S. Olympic Committee, and Federal agencies are increasing their collaboration on this issue. These organizations must continue to strengthen their commitment to stop performance-enhancing drug use by athletes, as well as to educate youth on the dangers of such drugs. ONDCP and the U.S. Anti-Doping Agency should work closely with professional sports organizations and other organizations to educate high school, middle school and grade school children on the dangers of performance-enhancing drugs.

UNANTICIPATED NEEDS

Appropriation, fiscal year 2008	\$1,000,000
Budget request, fiscal year 2009	1,000,000
Recommended in the bill	1,000,000
Bill compared with:	
Appropriation, fiscal year 2008	---
Budget request, fiscal year 2009	---

These funds enable the President to meet unanticipated emergencies in support of the national interest, security, or defense.

COMMITTEE RECOMMENDATION

The Committee recommends \$1,000,000 for unanticipated needs, the same as the fiscal year 2008 level and the President's request. The recommendation would permit the funds to remain available until expended. Expenditures from this account may be authorized by the President.

PRESIDENTIAL TRANSITION ADMINISTRATIVE SUPPORT

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	---
Budget request, fiscal year 2009	\$8,000,000
Recommended in the bill	8,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+8,000,000
Budget request, fiscal year 2009	---

The Presidential Transition Administrative Support account supplements other administrative resources of the Executive Office of

the President in support of the transition to the next Presidential Administration.

COMMITTEE RECOMMENDATION

The Committee recommends \$8,000,000 for Presidential Transition Administrative Support, which is the same amount as requested by the President.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$4,432,000
Budget request, fiscal year 2009	4,496,000
Recommended in the bill	4,496,000
Bill compared with:	
Appropriation, fiscal year 2008	+64,000
Budget request, fiscal year 2009	— — —

These funds support the official duties and functions of the Office of the Vice President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$4,496,000 for the Office of the Vice President, an increase of \$64,000 above the fiscal year 2008 level and the same as the amount requested by the President.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$320,000
Budget request, fiscal year 2009	323,000
Recommended in the bill	323,000
Bill compared with:	
Appropriation, fiscal year 2008	+3,000
Budget request, fiscal year 2009	— — —

These funds support the care and operation of the Vice President's residence and specifically support equipment, furnishings, dining facilities, and services required to perform and discharge the Vice President's official duties, functions and obligations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$323,000 for the Operating Expenses of the Vice President's residence, an increase of \$3,000 above the amount enacted in fiscal year 2008 and the same as requested by the President.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

Section 201. The Committee continues language to permit the transfer of not to exceed 10 percent of funds from certain offices within the Executive Office of the President.

Section 202. The Committee includes a provision requiring a financial plan by the Director of the ONDCP prior to the obligation of funds in fiscal year 2009.

TITLE III—THE JUDICIARY

The funds recommended by the Committee in title III of the accompanying bill are for the operation and maintenance of United States Courts and include the salaries of judges, magistrates, probation and pretrial services officers, and supporting personnel and other expenses of the Federal Judiciary.

In addition to direct appropriations, the Judiciary collects fees and has various carryover authorities. The Judiciary uses these non-appropriated funds to offset its direct appropriation requirements. Consistent with prior year practices, the Committee expects the Judiciary to submit a financial plan, allocating all sources of available funds including appropriations, fee collections, and carryover balances. The Judiciary should consider this financial plan to be the baseline for determining if reprogramming notification is required. The Committee expects the plan to be submitted within 90 days after enactment of this Act.

The Committee encourages the Judiciary to explore ways to increase outreach to minority law students with the goal of increasing the number of minorities in clerkship positions.

The Committee notes that the Judiciary revised its fiscal year 2009 estimates in May of 2008, decreasing the total request nearly \$164 million from the amounts included in the President's budget. The recommended funding levels in this bill reflect information presented to the Committee in the re-estimated request.

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$66,526,000
Budget request, fiscal year 2009	69,777,000
Recommended in the bill	69,777,000
Bill compared with:	
Appropriation, fiscal year 2008	+3,251,000
Budget request, fiscal year 2009	— — —

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$69,777,000 for fiscal year 2009 for the salaries and expenses of personnel and the cost of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is \$3,251,000 above the fiscal year 2008 level and is the same as the request for this account. The recommendation provides inflationary and other standard adjustments.

The Committee continues to include bill language making \$2,000,000 available until expended for the purpose of making information technology investments. The Committee directs the Supreme Court to provide an annual report, to be included in its budget justification materials, showing information technology carry-over balances and describing each expenditure made in the previous fiscal year and planned expenditures in the budget year.

CARE OF THE BUILDING AND GROUNDS

Appropriation, fiscal year 2008	\$12,201,000
Budget request, fiscal year 2009	18,447,000
Recommended in the bill	18,447,000
Bill compared with:	
Appropriation, fiscal year 2008	+6,246,000
Budget request, fiscal year 2009	— —

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$18,447,000 for fiscal year 2009 for personnel and other services relating to the Supreme Court building and grounds, which is supervised by the Architect of the Capitol. The recommendation is the same as the request and \$6,246,000 above the fiscal year 2008 level. The Committee expects to be informed of any changes to the scope and projected completion date of the original building modernization project. Language in the bill allows funds to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$27,072,000
Budget request, fiscal year 2009	32,357,000
Recommended in the bill	30,384,000
Bill compared with:	
Appropriation, fiscal year 2008	+3,312,000
Budget request, fiscal year 2009	– 1,973,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$30,384,000 for fiscal year 2009 for the salaries and expenses of the United States Court of Appeals for the Federal Circuit. The recommendation is \$3,312,000 above the fiscal year 2008 appropriation and \$1,973,000 below the request.

The Committee has provided one half of the requested funds for rental space for senior judges, as well as one half of the funding for additional law clerks for judges. At this time, the Committee does not definitively know whether judges will take senior status during fiscal year 2009. Additionally, there may be challenges in appointing new judges if current judges do take senior status, lessening the need for the additional clerks for the full fiscal year.

The Committee directs the Court to report on the planned use of the funding for program increases 120 days after enactment of this Act.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$16,632,000
Budget request, fiscal year 2009	19,622,000
Recommended in the bill	19,590,000
Bill compared with:	
Appropriation, fiscal year 2008	+2,958,000
Budget request, fiscal year 2009	– 32,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$19,590,000 for fiscal year 2009 for the salaries and expenses of the United States Court of International Trade. The Committee recommendation is \$32,000 less than the budget request and \$2,958,000 above the fiscal year 2008 level. The recommendation provides inflationary and other standard adjustments.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

Appropriation, fiscal year 2008 ¹	\$4,619,262,000
Budget request, fiscal year 2009	4,963,091,000
Recommended in the bill	4,830,060,000
Bill compared with:	
Appropriation, fiscal year 2008	+210,798,000
Budget request, fiscal year 2009	- 133,031,000

¹ Of this amount, \$14,500,000 was designated as emergency funding.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$4,830,060,000 for the operations of the regional courts of appeals, district courts, bankruptcy courts, the Court of Federal Claims, and probation and pretrial services offices. The recommendation is \$210,798,000 above the fiscal year 2008 appropriation and \$133,031,000 below the request. The recommendation provides inflationary and other standard adjustments.

The recommendation funds the Judiciary's \$3,000,000 requested increase to annualize the funding provided in fiscal year 2008 for growing workload associated with increased immigration related prosecutions. The recommendation also fully funds the \$1,041,000 requested increase for additional magistrate judges associated with increased workload.

The Committee understands that the Judiciary's staffing, operations and maintenance, and information technology resources are allocated to the courts according to formulas that are approved by the Judicial Conference of the United States and equitably distribute resources based on the workload of each district. The Committee believes this is the optimal method of making such allocations and expects the Judiciary to continue to allocate its resources using this system. The Committee also expects the Administrative Office to periodically update the formulas to ensure their accuracy.

The Committee urges the Judicial Conference of the United States to take into account judicial districts' caseloads when prioritizing Federal courthouse construction projects and to give priority consideration for new construction to areas such as McAllen, Texas, in the Southern District of Texas, and other border districts which are experiencing high caseloads.

VACCINE INJURY COMPENSATION TRUST FUND

Appropriation, fiscal year 2008	\$4,099,000
Budget request, fiscal year 2009	4,253,000
Recommended in the bill	4,253,000
Bill compared with:	
Appropriation, fiscal year 2008	+154,000
Budget request, fiscal year 2009	— —

COMMITTEE RECOMMENDATION

The Committee recommends a reimbursement of \$4,253,000 for fiscal year 2009 from the Special Fund to cover expenses of the Claims Court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. This amount is \$154,000 above the amount available in fiscal year 2008 and equal to the request.

DEFENDER SERVICES

Appropriation, fiscal year 2008 ¹	\$846,101,000
Budget request, fiscal year 2009	911,408,000
Recommended in the bill	862,977,000
Bill compared with:	
Appropriation, fiscal year 2008	+16,876,000
Budget request, fiscal year 2009	— 48,431,000

¹ Of this amount \$10,500,000 was designated as emergency funding.

COMMITTEE RECOMMENDATION

This account provides funding for the operation of the Federal Public Defender and Community Defender organizations and for compensation and reimbursement of expenses of panel attorneys appointed pursuant to the Criminal Justice Act (CJA) for representation in criminal cases.

The Committee recommends an appropriation of \$862,977,000 for fiscal year 2009. The recommendation is \$27,376,000 above the fiscal year 2008 level and \$48,431,000 below the request. The recommendation provides inflationary and other standard adjustments. The recommendation includes increases for the expected number of representations for fiscal year 2009. The recommendation also includes funding to support a cost of living adjustment for Defenders of \$2 to \$102 per hour and a salary increase of an additional \$8 to \$110 per hour.

FEES OF JURORS AND COMMISSIONERS

Appropriation, fiscal year 2008	\$63,081,000
Budget request, fiscal year 2009	62,206,000
Recommended in the bill	62,206,000
Bill compared with:	
Appropriation, fiscal year 2008	— 875,000
Budget request, fiscal year 2009	— —

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$62,206,000 for payments to jurors, which is \$875,000 below the fiscal year 2008 level and the same as the request.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

Appropriation, fiscal year 2008	\$410,000,000
Budget request, fiscal year 2009	439,915,000
Recommended in the bill	430,004,000
Bill compared with:	
Appropriation, fiscal year 2008	+20,004,000
Budget request, fiscal year 2009	– 9,911,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$430,004,000 for Court Security in fiscal year 2009 to provide for necessary expenses of security and protective services in courtrooms and adjacent areas. This is an increase of \$20,004,000 above the fiscal year 2008 level and \$9,911,000 below the request. Bill language is included allowing up to \$15,000,000 to remain available until expended.

The recommendation includes 9 FTE and \$4,082,000 more than fiscal year 2008 levels to provide the U.S. Marshals with resources to support the Federal Judiciary's Court Security program.

The Committee looks forward to implementation of the court security pilot program authorized in fiscal year 2008 in this bill and reauthorized for fiscal year 2009. The Committee directs the Judiciary to report on the execution of the program, including a cost comparison, 120 days after enactment of this Act.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$76,036,000
Budget request, fiscal year 2009	81,959,000
Recommended in the bill	79,049,000
Bill compared with:	
Appropriation, fiscal year 2008	+3,013,000
Budget request, fiscal year 2009	– 2,910,000

The Administrative Office of the United States Courts (AO) provides administrative and management support to the United States Courts, including the probation and bankruptcy systems. It also supports the Judicial Conference of the United States in determining Federal Judiciary policies, in developing methods to allow the courts to conduct business efficiently and economically, and in enhancing the use of information technology in the courts.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$79,049,000 for the salaries and expenses of the AO, which is \$3,013,000 above the fiscal year 2008 level and \$2,910,000 below the request.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$24,187,000
Budget request, fiscal year 2009	25,759,000
Recommended in the bill	25,725,000
Bill compared with:	
Appropriation, fiscal year 2008	+1,538,000
Budget request, fiscal year 2009	– 34,000

The Center improves the management of Federal Judicial dockets and court administration through education for judges and staff, and research, evaluation, and planning assistance for the courts and the Judicial Conference.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$25,725,000 for the salaries and expenses of the Federal Judicial Center for fiscal year 2009, which is \$1,538,000 above the fiscal year 2008 level and \$34,000 below the request.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

Appropriation, fiscal year 2008	\$65,400,000
Budget request, fiscal year 2009	76,140,000
Recommended in the bill	76,140,000
Bill compared with:	
Appropriation, fiscal year 2008	+10,740,000
Budget request, fiscal year 2009	— — —

These funds cover the estimated annuity payments to be made to retired bankruptcy judges, magistrate judges, Claims Court judges, and spouses and dependent children of deceased judicial officers.

COMMITTEE RECOMMENDATION

The Committee provides \$76,140,000 for payments to the Judicial Officers' Retirement Fund, the Judicial Survivors' Annuities Fund, and the Claims Court Judges Retirement Fund for fiscal year 2009. This amount is the same as the budget request and \$10,740,000 above the fiscal year 2008 level. These payments are considered mandatory for budget scorekeeping purposes.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$15,477,000
Budget request, fiscal year 2009	16,257,000
Recommended in the bill	16,225,000
Bill compared with:	
Appropriation, fiscal year 2008	+748,000
Budget request, fiscal year 2009	— 32,000

The purpose of the Commission is to establish, review, and revise sentencing guidelines, policies, and practices for the Federal criminal justice system. The Commission is also required to monitor the operation of the guidelines and to identify and report necessary changes to the Congress.

COMMITTEE RECOMMENDATION

The Committee recommends \$16,225,000 for the salaries and expenses of the United States Sentencing Commission for fiscal year 2009, which is \$748,000 above the fiscal year 2008 appropriation and \$32,000 below the request.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

Section 301. The Committee continues language to permit funds in the bill for salaries and expenses for the Judiciary to be available for employment of experts and consultant services as authorized by 5 U.S.C. 3109.

Section 302. The Committee continues language that permits up to 5 percent of any appropriation made available for fiscal year 2008 to be transferred between Judiciary appropriations accounts provided that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer except in certain circumstances. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under section 608 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 303. The Committee continues language authorizing not to exceed \$11,000 to be used for official reception and representation expenses incurred by the Judicial Conference of the United States.

Section 304. The Committee continues language requiring a financial plan for the Judiciary within 90 days of enactment of this Act.

Section 305. The Committee includes language to enable the Federal Judiciary to contract for repairs under \$100,000.

Section 306. The Committee continues language to authorize a court security pilot program.

Section 307. The Committee includes language intended to provide equal treatment for Federal judges regarding life insurance premiums.

Section 308. The Committee includes language intended to allow the Director of the Administrative Office of the U.S. Courts to expend funds for purposes of the Second Chance Act. The Committee directs the Administrative Office of the U.S. Courts to report to the Committee on the parameters that define what will constitute eligible expenses before the program is implemented.

Section 309. The Committee includes language removing a sunset date from certain procurement authorities.

Section 310. The Committee includes language extending temporary judgeships in Ohio and Kansas.

TITLE IV—DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

Appropriation, fiscal year 2008	\$33,000,000
Budget request, fiscal year 2009	35,100,000
Recommended in the bill	35,100,000
Bill compared with:	
Appropriation, fiscal year 2008	+2,100,000
Budget request, fiscal year 2009	— — —

The Resident Tuition Support program was created by the District of Columbia College Access Act of 1999 to provide District college-bound students the opportunity to expand their higher education choices. The program receives its funding through a Federal

appropriation which is deposited into a dedicated account under the control of the District of Columbia Chief Financial Officer. These funds are to be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at eligible public and private institutions of higher education.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$35,100,000 for the resident tuition support program, \$2,100,000 above the fiscal year 2008 appropriation and the same as the budget request. The District of Columbia is expected to adhere to the authorizing statute with regard to the administrative expenses associated with this program.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS

Appropriation, fiscal year 2008	\$3,352,000
Budget request, fiscal year 2009	15,000,000
Recommended in the bill	15,352,000
Bill compared with:	
Appropriation, fiscal year 2008	+12,000,000
Budget request, fiscal year 2009	+352,000

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$15,352,000 for emergency planning and security costs, \$12,000,000 above the fiscal year 2008 appropriation and \$352,000 above the budget request. These funds are for emergency planning and security costs related to the presence of the Federal Government in the District of Columbia and surrounding jurisdictions. The Committee notes that the sizeable increase for fiscal year 2009 is due to expected expenses associated with the 2009 Presidential Inauguration.

The Committee is concerned with the extra burden that certain agencies within the District of Columbia government face due to the Federal presence in the city, mostly notably the Metropolitan Police Department (MPD). The accompaniment of police officers to support the motorcade travel of the President, the Vice President and the First Lady requires resources for which the MPD historically has not been reimbursed by the Federal Government. No other U.S. city must use its own resources to protect Federal officials on a regular basis. It is for this reason that a change has been made to appropriations language for fiscal year 2009 to make protection of Federal officials in support of the mission of the Secret Service an allowable cost under this account.

The Committee also changes this account from a reimbursement to a direct payment. The Committee does not intend for this action to lead to an expansion of the authorized expenses under the fund, except as outlined in this report. The Committee requests a detailed justification to be submitted with the budget request in future years, as well as a report detailing any deviation from the plan outlined in the justification no later than 60 days after the end of the fiscal year.

The Committee acknowledges the unique role of the District of Columbia National Guard in addressing emergencies that may occur as a result of the presence of the Federal Government and

continues funding of \$352,000 for the District of Columbia National Guard to pay the costs of a tuition assistance program for guard members who are non-District residents.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Appropriation, fiscal year 2008	\$223,920,000
Budget request, fiscal year 2009	223,920,000
Recommended in the bill	248,409,000
Bill compared with:	
Appropriation, fiscal year 2008	+24,489,000
Budget request, fiscal year 2009	+24,489,000

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$248,409,000 for operation of the District of Columbia Courts, \$24,489,000 above the fiscal year 2008 appropriation and the fiscal year 2009 budget request. This amount includes \$12,630,000 for the Court of Appeals, \$104,277,000 for the Superior Court, \$55,426,000 for the Court System, and \$76,076,000 for capital improvements to courthouse facilities.

The Committee appreciates the responsiveness of the District of Columbia Courts with regard to concerns over the cell block at the Moultrie Courthouse. Additional funding recommended for capital improvements over the President's budget request is for renovation and modernization of the adult cellblock and U.S. Marshals space at the Moultrie Courthouse.

DEFENDER SERVICES IN THE DISTRICT OF COLUMBIA COURTS

Appropriation, fiscal year 2008	\$47,975,000
Budget request, fiscal year 2009	47,975,000
Recommended in the bill	52,475,000
Bill compared with:	
Appropriation, fiscal year 2008	+4,500,000
Budget request, fiscal year 2009	+4,500,000

COMMITTEE RECOMMENDATION

The Committee recommends \$52,475,000 for Defender Services in District of Columbia Courts, \$4,500,000 above the fiscal year 2008 appropriation and \$4,500,000 above the budget request.

The recommendation includes a pay adjustment for defenders from \$80 per hour to \$90 per hour to ensure Defender Services can continue to attract qualified attorneys.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

Appropriation, fiscal year 2008	\$190,343,000
Budget request, fiscal year 2009	202,490,000
Recommended in the bill	202,490,000
Bill compared with:	
Appropriation, fiscal year 2008	+12,147,000
Budget request, fiscal year 2009	— — —

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$202,490,000 for the Court Services and Offender Supervision Agency (CSOSA), \$12,147,000 above the fiscal year 2008 appropriation and the same as the budget request. Of the amounts provided, \$147,652,000 is

for the Community Supervision Sex Offender Registration and \$54,838,000 is for the Pretrial Services Agency. Increased funds over fiscal year 2008 are provided for pay and non-pay inflationary costs, as well as investments in infrastructure for CSOSA's offender case management system and field units.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER
SERVICE

Appropriation, fiscal year 2008	\$32,710,000
Budget request, fiscal year 2009	35,659,000
Recommended in the bill	35,659,000
Bill compared with:	
Appropriation, fiscal year 2008	+2,949,000
Budget request, fiscal year 2009	---

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$35,659,000 for the Public Defender Service for the District of Columbia (PDSDC), \$2,949,000 above the fiscal year 2008 appropriation and the same as the budget request. The Committee includes \$700,000 to be available for two years to support new space for the Mental Health Division.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND
SEWER AUTHORITY

Appropriation, fiscal year 2008	\$8,000,000
Budget request, fiscal year 2009	14,000,000
Recommended in the bill	14,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+6,000,000
Budget request, fiscal year 2009	---

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$14,000,000 to the District of Columbia Water and Sewer Authority (WASA), \$6,000,000 above the fiscal year 2008 appropriation and the same as the budget request. These funds are to continue implementation of the Combined Sewer Overflow Long-Term Plan. Funds will be matched 100 percent by WASA.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING
COUNCIL

Appropriation, fiscal year 2008	\$1,300,000
Budget request, fiscal year 2009	1,774,000
Recommended in the bill	1,774,000
Bill compared with:	
Appropriation, fiscal year 2008	+474,000
Budget request, fiscal year 2009	---

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$1,774,000 to the Criminal Justice Coordinating Council (CJCC), \$474,000 above the fiscal year 2008 appropriation and the same as the budget request. These funds are to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia. Similar to prior years, the Committee directs the CJCC to submit performance measures in an annual report.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER
OF THE DISTRICT OF COLUMBIA

Appropriation, fiscal year 2008	\$5,453,000
Budget request, fiscal year 2009	— —
Recommended in the bill	4,486,000
Bill compared with:	
Appropriation, fiscal year 2008	— 967,000
Budget request, fiscal year 2009	+4,486,000

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$4,486,000 for the Chief Financial Officer (CFO) of the District of Columbia, \$967,000 below fiscal year 2008 and \$4,486,000 above the request. These funds are for education, environmental, social service and economic development initiatives in the District of Columbia. The Committee directs each grantee to submit a comprehensive budget and a report on the activities to be carried out with the funds no later than March 15, 2009. The District CFO will submit a comprehensive report no later than June 1, 2009, to the Committee on Appropriations highlighting which grantees did not comply with the reporting requirements. The Committee requires that any funds to these grantees must be spent primarily in the District of Columbia to benefit District residents.

Project Name	Amount
Boys and Girls Club of Greater Washington for Project Learn	\$100,000
Capital Area Food Bank Facility Construction	200,000
DC Campaign for Literacy Education (CYCLE)	84,000
Educational Advancement Alliance for the DC Student Support Services Project	250,000
Everybody Wins!	400,000
Excel-Automotive Workforce Development Training Program	300,000
Georgetown Metro Connection	100,000
"I Have a Dream" Foundation of Washington DC, Brent Dream Class of 2006	84,000
National Children's Alliance	250,000
Safe Kids Worldwide, Inc., Child Safety Initiative	375,000
The Perry School for an Economic Empowerment Program	100,000

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

Appropriation, fiscal year 2008	\$40,800,000
Budget request, fiscal year 2009	54,000,000
Recommended in the bill	54,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+13,200,000
Budget request, fiscal year 2009	— —

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$54,000,000 for school improvement, \$13,200,000 above fiscal year 2008 and the same as the budget request. These funds are allocated as follows: \$21,200,000 to improve public school education in the District of Columbia, \$18,000,000 to expand quality charter schools, and \$14,800,000 to the Secretary of Education for opportunity scholarships for low-income children in the District of Columbia, of which \$1,000,000 is for administrative expenses.

The Committee wishes to express its support and full confidence in the leadership of the District of Columbia in its efforts to improve the public school system.

Further, the Committee recommends funding opportunity scholarships at the same level as in fiscal year 2008. Should the District of Columbia leadership decide not to proceed with this program in future years, the Committee encourages the city to communicate with Congress regarding a transition plan for students.

FEDERAL PAYMENT TO JUMP START PUBLIC SCHOOL REFORM

Appropriation, fiscal year 2008	--
Budget request, fiscal year 2009	\$20,000,000
Recommended in the bill	20,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+20,000,000
Budget request, fiscal year 2009	--

COMMITTEE RECOMMENDATION

The Committee recommends the requested level of \$20,000,000 for a one-time payment to jump start school reform in the District of Columbia, \$20,000,000 over fiscal year 2008. This funding will support: the recruitment, training and developing of principals and other school leaders, development of school programs, data and reporting requirement systems, and outreach to parents and other community members.

FEDERAL PAYMENT FOR CONSOLIDATED LABORATORY FACILITY

Appropriation, fiscal year 2008	\$5,000,000
Budget request, fiscal year 2009	5,000,000
Recommended in the bill	21,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+16,000,000
Budget request, fiscal year 2009	+16,000,000

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$21,000,000 for a consolidated bioterrorism and forensics lab, \$16,000,000 above fiscal year 2008 and \$16,000,000 above the budget request. The Committee recognizes the need associated with this facility and the high priority the city has placed on this project and therefore, has provided adequate resources to start construction during fiscal year 2009.

FEDERAL PAYMENT FOR CENTRAL LIBRARY AND BRANCH LOCATIONS

Appropriation, fiscal year 2008	\$9,000,000
Budget request, fiscal year 2009	7,000,000
Recommended in the bill	7,000,000
Bill compared with:	
Appropriation, fiscal year 2008	-2,000,000
Budget request, fiscal year 2009	--

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$7,000,000, as requested, for the District of Columbia's capital program for modernization of neighborhood libraries.

FEDERAL PAYMENT TO REIMBURSE THE FEDERAL BUREAU OF
INVESTIGATION

Appropriation, fiscal year 2008	\$4,000,000
Budget request, fiscal year 2009	5,000,000
Recommended in the bill	— — —
Bill compared with:	
Appropriation, fiscal year 2008	—4,000,000
Budget request, fiscal year 2009	—5,000,000

COMMITTEE RECOMMENDATION

The Committee recommends no funding for a reimbursement to the FBI for forensics work on behalf of the District of Columbia for fiscal year 2009. The Committee believes the funds would be better served being devoted to the capital needs associated with building the consolidated bioterrorism and forensics lab so that the District of Columbia will no longer have to rely on other agencies to perform forensics work on its behalf.

DISTRICT OF COLUMBIA FUNDS

The Committee recommends a total of \$10,011,231,000 for the operating expenses of the District of Columbia as contained in the fiscal year 2009 proposed budget and financial plan submitted to the Congress by the government of the District of Columbia in June 2008. Of the total, \$6,203,795,000 is from local funds, \$2,177,373,000 is from Federal grant funds, \$1,623,754,000 is from other funds, \$6,310,000 is from private funds, and \$156,874,000 is from prior year funds. In addition, an increase of \$1,482,977,000 is for capital construction projects.

The Committee directs that any changes to the financial plan as submitted by the District must follow the reprogramming guidelines.

TITLE V—INDEPENDENT AGENCIES

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$80,000,000
Budget request, fiscal year 2009	80,000,000
Recommended in the bill	100,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+20,000,000
Budget request, fiscal year 2009	+20,000,000

The Consumer Product Safety Act established the Consumer Product Safety Commission (CPSC), an independent Federal regulatory agency, to reduce unreasonable risk of injury associated with consumer products. Its primary responsibilities and overall goals are: to protect the public against unreasonable risk of injury associated with consumer products; to develop uniform safety standards for consumer products, minimizing conflicting State and local regulations; and to promote research into prevention of product-related deaths, illnesses, and injuries.

COMMITTEE RECOMMENDATION

The Committee recommends \$100,000,000 for fiscal year 2009, \$20,000,000 above the amount provided for fiscal year 2008 and the

amount requested by the President. After years of budget cuts and staffing decline, and after numerous product recalls in 2007 involving health and safety hazards, the CPSC received a considerable (27.5 percent) increase in funding in its fiscal year 2008 budget. The CPSC is using these additional resources to substantially improve its product safety activities, including the implementation of an Import Safety Initiative, upgrades to information technology and databases, and modernization of its testing laboratory. The Committee expects the CPSC to continue to use this infusion of resources to enhance its efforts to keep unsafe products out of the marketplace.

The Committee believes that the progress that is being made must be continued. The CPSC will have significant new responsibilities under legislation being considered by Congress, as well as legislation that has already become law. Adequate funding is necessary to meet these responsibilities, and the Committee's recommendation for fiscal year 2009 reflects this reality. Of the \$20,000,000 increase provided above the President's request, \$6,000,000 is for the implementation of the Virginia Graeme Baker Pool and Spa Safety Act, which was signed by the President on December 19, 2007. Funding for the modernization of CPSC's testing laboratory is continued at \$6,000,000, which is the same amount as requested by the President.

Within the level of funds provided, the Committee expects the CPSC to assign a Product Safety Officer and a foreign national employee to the United States embassy in Beijing, China. Having a presence in Asia will allow the CPSC to improve its outreach to Asian businesses, trade associations, and governments regarding the safety standards of the United States. This effort, along with the deployment of CPSC staff to United States ports, will increase the CPSC's ability to protect Americans from the importation of dangerous products.

The Committee recognizes the importance of screening consumer products for lead content as those products arrive at ports of entry. The Committee urges CPSC to increase its capacity for such screening through use of innovative technologies that enable fast and accurate on-site analysis of lead content.

The bill also includes language that limits official reception and representation expenses to no more than \$1,000 in fiscal year 2009.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$16,530,000
Budget request, fiscal year 2009	16,679,000
Recommended in the bill	18,559,000
Bill compared with:	
Appropriation, fiscal year 2008	+2,029,000
Budget request, fiscal year 2009	+1,880,000

The Election Assistance Commission (EAC) was established by the Help America Vote Act of 2002 (HAVA) and is charged with implementing provisions of that Act relating to the reform of Federal election administration throughout the United States, including the development of voluntary voting systems guidelines, the certifi-

cation and testing of voting systems, studies of election administration issues, and the implementation of election reform payments to states as well as grant programs related to election reform.

COMMITTEE RECOMMENDATION

The Committee recommends \$18,559,000 for EAC Salaries and expenses, an increase of \$2,029,000 above the fiscal year 2008 enacted level and an increase of \$1,880,000 above the budget request. The recommendation also includes the requested transfer of \$4,000,000, an increase of \$750,000 above the amount transferred in fiscal year 2008, to the National Institute of Standards and Technology.

Also included in this recommendation are \$1,250,000 (\$500,000 above the fiscal year 2008 level) for the Help America Vote College Program and \$400,000 (\$200,000 above the fiscal year 2008 level) for mock election programs. Both programs are competitive grant programs. The college program, first implemented during the 2004 election, recruits and trains young people in colleges, universities, and community colleges to serve as nonpartisan pollworkers, helping to address a nationwide pollworker shortage. Mock election programs promote participation in elections through voter education activities for students and their parents.

The Committee encourages the use of voting machines in student elections. This will allow students, the nation's voters of tomorrow, to become familiar with voting processes and technologies so that when they turn 18, they will be comfortable with their civic duties. Groups involved in student mock elections should work with local election authorities to promote the use of voting machines by students.

The EAC is a small agency with a very limited staff and budget. As such, the EAC needs to prioritize its attention and resources toward meeting its core responsibilities under HAVA, including serving as a national clearinghouse on best practices, further improving and implementing voluntary voting system guidelines, and directing a national voting system certification program. Attention must be given to ensuring the usability, accessibility, and security of voting systems, as well as the fair, open, and nonpartisan administration of elections. By focusing on these issues, the EAC will build its credibility as a trusted and essential resource for stakeholders in the election community.

The Committee is concerned about specific issues that face voters with alternative language accessibility challenges, including Latino, Asian American, Pacific Islander and Native American and Alaskan Native voters. Such challenges have been well documented throughout recent election cycles and include both a failure of applicable jurisdictions to meet requirements of Section 203 of the Voting Rights Act, and general discrimination faced by such voters at polling places. The Committee believes that jurisdictions covered under Section 203 of the Voting Rights Act must commit the financial resources necessary to meet the requirements of the Section and the requirements under Section 301(a)(4) of HAVA. Funding is essential to ensure that every eligible voter has an equal opportunity to cast a vote and have that vote counted, regardless of English proficiency. The Committee believes that States should submit plans under HAVA that are consistent with providing suffi-

cient funding levels for alternative language accessibility. The Committee also notes that States are obligated by statute to comply with Section 203 irrespective of the availability of HAVA funding. The Committee directs the EAC, in consultation with the Department of Justice, to communicate with States to reiterate the requirements of HAVA and the Voting Rights Act and to direct States to revise their plans if they are not consistent with alternative language accessibility requirements under law. The EAC is also directed to report to the Committee, within 90 days of enactment of this Act, on how the EAC would develop a plan for a thorough assessment of State and local jurisdiction funding requirements for alternative language accessibility in jurisdictions covered by Section 203, including (but not limited to): (1) the type and quantity of data EAC would need to collect from the jurisdictions; (2) data quality considerations; (3) resources required by the EAC for this assessment; and (4) statutory changes for Congress to consider that would better enable the EAC to perform the assessment.

The Committee remains concerned over recent elections in which there has been continued confusion over the operation of direct recording electronic (DRE) ballot machines, and in which there have been machine failures and irregularities in the tabulation of votes. Unfortunately, there is no current explicit authorization to provide safety mechanisms, including back-up paper ballots and post-election random audits. The Committee directs the EAC to make a determination as to whether States can use current HAVA funds to pay for activities such as back-up paper ballots and post-election random audits in order to better ensure the security and trustworthiness of the voting process.

ELECTION REFORM PROGRAMS

Appropriation, fiscal year 2008	\$115,000,000
Budget request, fiscal year 2009	— — —
Recommended in the bill	116,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+1,000,000
Budget request, fiscal year 2009	+116,000,000

This appropriation provides for grant programs authorized by the Help America Vote Act of 2002 (HAVA) and for related grant programs to improve the administration of elections.

COMMITTEE RECOMMENDATION

The Committee recommendation includes \$116,000,000 for Election reform programs, an increase of \$1,000,000 above the fiscal year 2008 enacted level and an increase of \$116,000,000 above the budget request. Of this amount, \$110,000,000 is for grants available to States for assistance in meeting the requirements of HAVA relating to voting systems, voter registration, provisional ballots, and other election administration activities.

In addition, \$5,000,000 is provided for grants for research on voting technology improvements as authorized by the Help American Vote Act. The Committee directs the EAC to use the appropriated amount to fund research into technological solutions for voting systems that ensure accessibility for voters with disabilities so that such voters can vote privately and independently, including through the use of official paper ballots. The Committee further di-

rects that technological solutions developed through this federally-funded research be non-proprietary and be made available to the public, including to voting system manufacturers.

The recommendation also includes \$1,000,000 for a pilot program, to be administered by the EAC, to provide grants to States and units of local government to fund pre-election logic and accuracy testing of voting systems, as well as post-election voting system verification. The goal of logic and accuracy testing would be to ensure that voting system equipment, including tabulation equipment, that will be used in an upcoming election is properly prepared to support the election. Testing would also include assessments of the completeness, accuracy and usability of ballots. Post-election voting system verification would assess the adequacy of controls in place prior to and during the election that can detect and correct, or prevent, anomalies from occurring in voting systems. Jurisdictions would report on voting system equipment failures during the election as well as on procedural incidents that involved voting equipment. The Committee believes that this pilot program would help local election officials ensure the reliable, accurate, secure, and accessible transformation of voter intent into tabulated returns.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$313,000,000
Budget request, fiscal year 2009	338,874,783
Recommended in the bill	338,874,783
Bill compared with:	
Appropriation, fiscal year 2008	+25,874,783
Budget request, fiscal year 2009	— —

The mission of the Federal Communications Commission (FCC) is to implement the Communications Act of 1934 in a manner that promotes competition, innovation, and deregulation in the communications industry and the availability of high quality communications services for all Americans.

COMMITTEE RECOMMENDATION

The bill includes total budget authority of \$338,874,783 for the salaries and expenses of the FCC for fiscal year 2009, of which \$337,874,783 is to be derived from offsetting collections, resulting in a direct appropriation of \$1,000,000. The operating level for fiscal year 2009 is \$25,874,783 above the current year and the same as the request.

The Committee recommendation includes bill language, similar to that included in previous Appropriations Acts, which allows: (1) up to \$4,000 for official reception and representation expenses; (2) purchase of uniforms and acquisition of vehicles; (3) special counsel fees; (4) collection of \$337,874,783 in section 9 fees; (5) the sum appropriated to be reduced as section 9 fees are collected; (6) a prohibition on amounts collected in excess of \$337,874,783 from being available for obligation; (7) a prohibition on remaining offsetting collections from prior years from being available for obligation; and

(8) retention of \$85,000,000 of proceeds from the use of a competitive bidding system.

The recommendation includes a \$25,480,000 transfer from the Universal Service Fund (USF) for additional audits and oversight activities. The recommendation also includes \$1,919,000 in direct appropriations to manage the USF audit program. The Committee believes that providing these funds to the Office of Inspector General will result in a stronger and more independent oversight and audit program.

The Committee is concerned about the approaching February 2009 deadline for transition to digital television (DTV) and the level of awareness in the general public concerning this deadline. Surveys show that many television viewers have never seen, read, or heard anything about digital television and the transition. The Committee is particularly concerned about how well viewers in disadvantaged and lower-income communities, including Hispanic, African American, disabled, and senior citizen communities, are prepared for the transition. The Committee recommendation includes \$20,000,000 for DTV education and outreach, as proposed in the budget request.

The Committee stresses the importance of providing all persons living under the American flag, including those living in the United States territories, equal access to services. The Communications Act of 1934 established the FCC to “make available, so far as possible, to *all the people of the United States*, without discrimination on the basis of race, color, religion, national origin, or sex, a rapid, efficient, Nation-wide, and world-wide wire and radio communication service with adequate facilities at reasonable charges” (emphasis added). The Committee believes that all communication services, including satellite radio services, should be equally available to persons living under the American flag outside of the contiguous 48 states. Satellite radio services are currently unavailable or have limited availability in Puerto Rico, the U.S. Virgin Islands, Guam, and American Samoa, Alaska, and Hawaii. The Committee strongly encourages the FCC to consider equal access for persons living in these locations in its review of the proposed merger of satellite radio companies.

The Committee appreciates that the Commission raised \$19,592,000,000 in the 700 MHz auction. The sale of this spectrum should have a significant effect on the next phase of wireless broadband innovation. However, the Committee is very concerned that the auction for the D Block did not meet its \$1,300,000,000 reserve price established in advance of the auction. The D Block spectrum was set aside for the creation of a public/private partnership to solve public safety’s interoperability problems allowing police, fire and other first responders to better communicate with one another during an emergency. The 9/11 Commission identified the need to increase the assignment of spectrum for first responders in its July 2004 report and it is disappointing the Federal Government has yet to address this critical need. The Committee urges the Commission to learn from this failure and expeditiously rework the rules for this critical spectrum auction so that first responders have an interoperable communications network.

FEDERAL DEPOSIT INSURANCE CORPORATION
OFFICE OF INSPECTOR GENERAL
(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$26,848,000
Budget request, fiscal year 2009	27,495,000
Recommended in the bill	27,495,000
Bill compared with:	
Appropriation, fiscal year 2008	+647,000
Budget request, fiscal year 2009	--

Funding for the Office of the Inspector General at the Federal Deposit Insurance Corporation is provided pursuant to 31 U.S.C. 1105(a)(25), which requires a separate appropriation account for appropriations for each Office of Inspector General of an establishment defined under section 11(2) of the Inspector General Act of 1978.

COMMITTEE RECOMMENDATION

The Committee recommendation, the same as the budget request, provides for the transfer of \$27,495,000 from the Deposit Insurance Fund, and the FSLIC Resolution Fund to finance the Office of Inspector General for fiscal year 2009.

FEDERAL ELECTION COMMISSION
SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$59,224,000
Budget request, fiscal year 2009	63,618,000
Recommended in the bill	63,618,000
Bill compared with:	
Appropriation, fiscal year 2008	+4,394,000
Budget request, fiscal year 2009	--

The Federal Election Commission (FEC) administers the disclosure of campaign finance information, enforces limitations on contributions and expenditures, supervises the public funding of Presidential elections, and performs other tasks related to Federal elections.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$63,618,000 for the Federal Election Commission (FEC), an increase of \$4,394,000 over the amount appropriated in fiscal year 2008 and the same as the budget request.

The Committee notes that it recently approved a significant reprogramming of fiscal year 2008 funds. These funds were available for reprogramming due to four commissioner vacancies, as well as due to slowness in hiring replacements for staff who have been lost through attrition. The Committee intends to carefully monitor the resource needs of the FEC during the coming months and may consider adjustments to its fiscal year 2009 budget in the final appropriations bill.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$23,641,000
Budget request, fiscal year 2009	22,674,000
Recommended in the bill	22,674,000
Bill compared with:	
Appropriation, fiscal year 2008	- 967,000
Budget request, fiscal year 2009	- - -

Established by title VII of the Civil Service Reform Act of 1978, the Federal Labor Relations Authority (FLRA) serves as a neutral arbiter in the labor activities of non-postal Federal employees, Departments and agencies, and Federal unions on matters outlined in the Act, including collective bargaining and the settlement of disputes. Establishment of the FLRA gives full recognition to the role of the Federal Government as an employer. Under the Foreign Service Act of 1980, the FLRA also addresses similar issues affecting Foreign Service personnel by providing full staff support for the Foreign Service Impasse Disputes Panel and the Foreign Service Labor Relations Board.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$22,674,000 for the Federal Labor Relations Authority, a decrease of \$967,000 below the amount appropriated in fiscal year 2008 and the same as the budget request.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$243,864,000
Budget request, fiscal year 2009	256,200,000
Recommended in the bill	259,200,000
Bill compared with:	
Appropriation, fiscal year 2008	+15,336,000
Budget request, fiscal year 2009	+3,000,000

The mission of the Federal Trade Commission (FTC) is to enforce a variety of Federal antitrust and consumer protection laws. Under these laws, the Commission seeks to ensure that the nation's markets are competitive, function vigorously and efficiently, and are free from undue governmental and private restrictions. The Commission also seeks to improve the operation of the marketplace by eliminating deceptive and unfair practices. Appropriations for both the Antitrust Division of the Department of Justice and the Commission are partially financed with Hart-Scott-Rodino Act premerger filing fees.

COMMITTEE RECOMMENDATION

The Committee recommends total budget authority of \$259,200,000 for the salaries and expenses of the FTC for fiscal year 2009, which is \$15,336,000 above the fiscal year 2008 level and \$3,000,000 above the request. The Committee assumes that \$170,500,000 of collections from Hart-Scott-Rodino premerger filing fees and \$21,000,000 of collections from Do-Not-Call list fees will partially offset the appropriation requirement for this account.

The Committee recommendation assumes an increase of \$3,000,000 over the request to provide additional support for consumer protection activities including subprime lending and other financial services investigations, as well as activities to fight spam, spyware, and Internet fraud and deception.

The Committee believes that the FTC can do more to investigate, challenge, and take enforcement actions against mortgage brokers, lenders, and loan servicers who engage in deceptive or unfair marketing practices or fraudulent financial practices directed at subprime borrowers. Such practices have exacerbated the subprime crisis by taking advantage of the most vulnerable borrowers, and the FTC needs to be aggressive in fighting this serious problem. The Committee recommendation assumes that \$2,000,000 of the \$3,000,000 increase over the President's budget request will be used to enhance the FTC's investigation and enforcement activities in the financial services sector, including the subprime lending market.

High gas prices hurt consumers and burden the nation's economy. The FTC has an important responsibility to ensure that anti-competitive, fraudulent or criminal practices are not being used to drive prices higher. On May 1, 2008, the FTC approved an Advance Notice of Proposed Rulemaking (ANPR) as a first step in developing regulations to prohibit market manipulation in the petroleum industry. This rulemaking is authorized by the Energy Independence and Security Act of 2007 (EISA), which also gives the FTC the authority to prohibit the provision of false or misleading information relating to the wholesale oil or gasoline prices to a Federal agency. The FTC is now in the process of reviewing public comments on the ANPR. The Committee strongly urges the FTC to act expeditiously to develop effective regulations that will deter and penalize manipulative practices in the petroleum industry.

The Committee encourages the FTC to expand its enforcement and education activities particularly with respect to consumer protections for Hispanic, African American, disabled, and senior citizen populations. For example, the FTC has an aggressive campaign against consumer fraud in the Hispanic community. As recent immigrants, many Hispanics are unaware of the fraudulent practices perpetrated by some businesses and individuals against consumers. Consequently, many fall prey to such predators and suffer great financial losses. They may also be unaware of the remedies that are available to them if they are victimized. The FTC should continue to promote increased awareness through its Hispanic Outreach Initiative, and it should work with all at-risk populations to ensure the highest possible level of consumer protection.

The Committee urges the FTC to work with companies that extend credit to consumers to ensure that it is readily apparent to those individuals that they have the ability to "opt-out" of receiving unsolicited financial information when they complete the necessary forms for an application for credit.

The Committee also urges the FTC to encourage companies that have data breaches involving sensitive and personal consumer information to disclose to affected consumers, as soon as possible following discovery of the data breach, that a data breach has occurred.

Consumer privacy has become a major consideration with the growth of Internet commerce, and the Committee encourages the FTC to continue efforts that will lead to increased consumer confidence that personal information transmitted over the Internet will not be used in illegal, intrusive, or inappropriate ways.

The Committee is concerned about reports of explicit content that can be easily accessed by minors on increasingly popular virtual reality web programs. The Committee directs the FTC to issue a consumer alert to educate parents on the content that is available to children on virtual reality web programs. In addition, no later than 9 months after enactment of this Act, the Commission shall submit a report to the Appropriations Committee discussing the types of content on virtual reality sites and what steps, if any, these sites take to prevent minors from accessing content.

The recommendation also includes bill language that: (1) allows for purchase of uniforms, hire of motor vehicles and contracts for collection services; (2) allows up to \$2,000 for official reception and representation expenses; (3) allows for the collection of fees; (4) allows for the sum appropriated to be reduced as fees are collected; (5) allows funding to be available until expended; and (6) prohibits the use of funds to implement or enforce subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2008	\$(7,830,414,000)
Limitation on availability, budget estimate, fiscal year 2009	(8,377,573,000)
Recommended in the bill	(8,161,285,000)
Bill compared with:	
Availability limitation, fiscal year 2008	(+330,871,000)
Availability limitation, fiscal year 2009 estimate	(-216,288,000)

The Federal Buildings Fund (FBF) finances the activities of the Public Buildings Service, which provides space and services for Federal agencies in a relationship similar to that of landlord and tenant. The FBF, established in 1975, replaces direct appropriations by using income derived from rent assessments, which approximate commercial rates for comparable space and services. The Committee makes funds available through a process of placing limitations on obligations from the FBF as a way of allocating funds for various FBF activities. The Committee may also appropriate funds into the FBF as a way of covering the difference between the total revenues coming into the FBF and the total limitation on the expenditure from the FBF.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$8,161,285,000 for the Fund, an increase of \$330,871,000 above the fiscal year 2008 enacted levels, a decrease of \$216,288,000 below the request.

To carry out the purposes of the Federal Buildings Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592), the revenues and collections deposited into the Fund, shall be available for necessary expenses in the aggregate amount of \$8,161,285,000 of which: \$453,831,000 is for construction (including funds for sites

and expenses and associated design and construction services), \$692,374,000 is for repairs and alterations, \$149,570,000 is for installment acquisition payments (including payments on purchase contracts), \$4,642,156,000 is for rental of space; and \$2,223,354,000 is for building operations.

The General Services Administration (GSA) is directed to provide the Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works with a report within 120 days follow enactment of this Act, describing not less than three projects for which the utilization of its 412 development authority is an option.

The Committee continues to recognize the importance of the Ambassador Bridge in Detroit, Michigan as a critical link to commerce between the United States and Canada. The Committee and the Congress have invested, since fiscal year 2004, significant taxpayer funds in Border Station facilities at the Ambassador Bridge and in the Ambassador Bridge Gateway project to directly connect the Ambassador Bridge and its proposed second span, to trunk line systems and the trade corridor between the United States and Canada to streamline the flow of commerce and international traffic.

The Committee further notes that the private sector owners and operators of the Ambassador Bridge have a long history of proactive investment in new inspection booths and related infrastructure security, to help streamline the border inspection process, and to ensure the total security of this critical border crossing. The Committee applauds the General Services Administration for its willingness to explore these public-private partnerships at the Ambassador Bridge. The Committee commends the continued assistance of the GSA in helping to lead efforts of the Executive Branch to improve direct highway access to the Ambassador Bridge facilities, including its proposed second span, in both the United States and Canada.

The United States Post Office and Federal Court Building in Danville, Virginia is an important component of the downtown Danville community. The Committee hopes that the General Services Administration will make every effort to maintain the Federal Judiciary's presence in this building and to service the citizens of Danville.

GSA shall conduct a study of the measurable benefits and challenges associated with the use of green roofs in GSA's diverse owned and leased inventory, using the National Capital Region as an example. The purpose of the study is to identify which green roof technologies available today are applicable to GSA's inventory. The study shall address, among other things, the practical, environmental, and aesthetic benefits of green roofs, including the reduction of storm water runoff. It shall include examples of existing or planned GSA green roofs. It should analyze building life-cycle cost, return on investment, energy savings, historic preservation considerations, and factors such as the size of the roof, structural capability, building age, and what, if any, sustainable design features might be important to justify the costs associated with green roofs. The study shall be completed within one year of enactment of this Act.

PROJECTS

Congress has made significant reforms in the way it reviews funding for the Federal Government; reforms which the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. For example, following is a list of General Services Administration projects submitted by the Administration:

New Construction:

California:

San Diego, United States Courthouse Annex
San Ysidro, Land Port of Entry

Colorado:

Lakewood, Denver Federal Remediation

District of Columbia:

DHS Consolidation and development of St. Elizabeths Campus
St. Elizabeths West Campus Infrastructure
St. Elizabeths West Campus Site Acquisition

Maryland:

Montgomery County, Food and Drug Administration Consolidation

North Dakota:

Portal, Land Port of Entry

Repairs and Alterations:

District of Columbia:

Eisenhower Executive Office Building, CBR
Eisenhower Executive Office Building, Phase III
West Wing Infrastructure Systems Replacement

Illinois:

Chicago, Dirksen Courthouse

North Carolina:

New Bern, United States Post Office and Courthouse.

The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

CONSTRUCTION AND ACQUISITION

Limitations on Availability of Revenue:

Limitation on availability, fiscal year 2008 ¹	\$531,448,000
Limitation on availability, budget estimate, fiscal year 2009	620,119,000
Recommended in the bill	453,831,000

Bill compared with:

Availability limitation, fiscal year 2008	-77,617,000
Availability limitation, fiscal year 2009 request	-166,288,000

¹ Of this amount, \$225,000,000 was designated as emergency funding.

The construction and acquisition activity funds site, design, construction, and management and inspection costs for construction of new Federal facilities.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$453,831,000 for construction and acquisition, a decrease of \$77,617,000 below the fiscal year 2008 enacted level and \$166,288,000 below the request, which includes non-prospectus projects.

The Committee prohibits the General Services Administration from using any of the nearly \$400 million in funding which has been appropriated for the courthouse project for the Central District of California, Los Angeles division for any other purpose. Further, should the land purchased for the courthouse project be sold, the Committee prohibits the General Services Administration from using the proceeds of the sale of the land to be used for any other purpose than addressing the housing needs of the LA division of the Central District of California.

The Committee is supportive of the construction of the Mobile Courthouse, which the Committee notes is on the Judicial Conference five year construction plan, and urges GSA to request funding for this important project.

The Committee is also supportive of the construction of the Chattanooga Courthouse and urges GSA to request funding for this important project.

The Committee is concerned about the transportation plans for the Department of Homeland Security (DHS) consolidation on the St. Elizabeths campus. This site is located near the Suitland Parkway and is adjacent to I-295—two already congested and key transportation arteries for DC citizens east of the Anacostia River and Maryland and Virginia commuters. The Committee expects GSA and DHS to closely coordinate its plans with the District of Columbia Department of Transportation, the Federal Highway Administration, the Maryland Department of Transportation, the Virginia Department of Transportation and Washington Metropolitan Area Transit Authority to minimize the campus traffic impact on neighboring communities and commuters. Furthermore, the Committee expects GSA and DHS to take every reasonable step to encourage mass transit, to provide an onsite parking plan with a ratio of at most one parking spot per every four employees, and to ensure that the Federal Government takes responsibility for the required infrastructure improvements, which will prevent local jurisdictions from needing to divert funds from other priorities.

The Committee wishes to emphasize the importance of completing the Food and Drug Administration (FDA) headquarters consolidation project at White Oak on schedule and especially construction of the Life Sciences Laboratory building. The Center for Biologics Evaluation and Research (CBER)/Center for Drug Evaluation and Research (CDER) labs, which will be located within this building, are essential for the FDA to carry out its bioterrorism responsibilities and it is critical to national and global preparedness for pandemic and annual influenza and other emerging threats. The Committee is disappointed that the funding for the lab was not included in the President's budget for GSA. The Committee urges GSA to include adequate funding to construct the CBER/CDER labs in the next fiscal year's request and expects the FDA consolidation to be accomplished by the 2012 scheduled completion date.

REPAIRS AND ALTERATIONS

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2008	\$722,161,000
Limitation on availability, budget estimate, fiscal year 2009	692,374,000
Recommended in the bill	692,374,000
Bill compared with:	
Availability limitation, fiscal year 2008	- 29,787,000
Availability limitation, fiscal year 2009 request	- - -

The repairs and alterations activity funds design, construction and management and inspection for the repair, alteration, and modernization of existing real estate assets. It funds projects to improve health and safety, recapture vacant non-revenue producing Government-owned and leased space, and various special programs.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$692,374,000 for repairs and alterations, a decrease of \$29,787,000 below the fiscal year 2008 enacted level and equal to the request, including the energy and water conservation program funded at \$36,647,000, as well as basic repairs and alterations funded at \$350,000,000. The Committee directs GSA to embark on the projects included in the budget request in priority order, starting with those projects that address safety and health needs and moving next to the projects with completed designs.

The Committee directs that additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations. The amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate.

INSTALLMENT ACQUISITION PAYMENTS

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2008	\$155,781,000
Limitation on availability, budget estimate, fiscal year 2009	149,570,000
Recommended in the bill	149,570,000
Bill compared with:	
Availability limitation, fiscal year 2008	- 6,211,000
Availability limitation, fiscal year 2009 request	- - -

The installment acquisition payments activity funds interest payment for facilities constructed under the Public Building Amendment of 1972 and lease-purchase agreements since 1987, a total of 80 projects.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$149,570,000 for installation acquisition payments, a decrease of \$6,211,000 below the fiscal year 2008 enacted level and the same as the budget request.

RENTAL OF SPACE

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2008	\$4,315,534,000
Limitation on availability, budget estimate, fiscal year 2009	4,692,156,000
Recommended in the bill	4,642,156,000
Bill compared with:	
Availability limitation, fiscal year 2008	+326,622,000
Availability limitation, fiscal year 2009 request	-50,000,000

The rental of space program funds lease payments, temporary space for Federal employees during major repair and alteration projects, and relocations from Federal buildings due to forced moves and relocations as a result of health and safety conditions.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$4,642,156,000 for rental of space, an increase of \$326,622,000 above the fiscal year 2008 enacted level and \$50,000,000 below the request.

The Committee continues to be concerned about the allocation of leased General Services Administration office space in the Greater Washington, D.C. Metropolitan area. Evidence indicates that there is a disparity between the leased space awarded in Prince George's County and in nearby jurisdictions in the Greater Washington, D.C. Metropolitan area. Specifically, the Committee is concerned with the lack of space awarded around Washington Metropolitan Area Transit Authority stations in Prince George's County, Maryland.

The Committee is concerned about weaknesses in GSA's National Broker Contract program, designed to lease space in the private market for government clients. The Government Accountability Office has cited potential for conflicts of interest in this leasing program. These conflicts may lead to situations in which this program does not always provide for the best use of taxpayer money.

GSA is directed to report to the Committee, within 120 days of enactment of this Act, on the development and implementation of measures which will quantify the performance of these contracts in comparison to GSA's in-house leasing capabilities. The Committee notes that this reporting requirement was included in the Committee report accompanying the fiscal year 2008 bill, but the report was not received.

BUILDING OPERATIONS

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2008	\$2,105,490,000
Limitation on availability, budget estimate, fiscal year 2009	2,223,354,000
Recommended in the bill	2,223,354,000
Bill compared with:	
Availability limitation, fiscal year 2008	+117,864,000
Availability limitation, fiscal year 2009 request	- - -

The building operations activity funds cleaning, maintenance, utilities, fuel, grounds, maintenance, space acquisitions and assignment services in government-owned facilities and in leased space when not provided by the lessor.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$2,223,354,000 for building operations, an increase of \$117,864,000 above the fiscal year 2008 enacted level and equal to the budget request.

The Committee continues to be concerned about increases in charges from other agencies for security, especially for vacant space. The agencies are encouraged to develop an equitable agreement regarding such charges.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

Appropriation, fiscal year 2008	\$52,891,000
Budget request, fiscal year 2009	56,578,000
Recommended in the bill	56,215,000
Bill compared with:	
Appropriation, fiscal year 2008	+3,324,000
Budget request, fiscal year 2009	- 363,000

This appropriations account provides for government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109.

COMMITTEE RECOMMENDATION

The Committee recommends \$56,215,000, an increase of \$3,324,000 above fiscal year 2008 and \$363,000 below the request. The Committee funds a portion of the requested funds for the Federal Acquisition Institute.

OPERATING EXPENSES

Appropriation, fiscal year 2008	\$85,870,000
Budget request, fiscal year 2009	71,811,000
Recommended in the bill	71,208,000
Bill compared with:	
Appropriation, fiscal year 2008	- 14,662,000
Budget request, fiscal year 2009	- 603,000

This account provides appropriations for activities that are not feasible for a user fee arrangement. Included under this heading are personal property utilization and donation activities, select management and administration activities and support of government-wide emergency management activities, and the Civilian Board of Contract Appeals.

COMMITTEE RECOMMENDATION

The Committee recommends \$71,208,000, which is \$603,000 below the request. The Committee approves a transfer of 35 FTE and \$18,828,000 from the Operating Expenses account to the Federal Citizen Services Fund.

The Committee acknowledges that Public Service Recognition Week, a program of the Public Employees Roundtable, has educated America about the value of the career workforce, which carries out the daily operations of government. This program has ex-

isted for over 10 years and plays an important role in the education of our nation's youth by providing them with timely information about their government. The Committee supports the GSA budget request to provide \$150,000 in administrative and logistical assistance to Public Service Recognition Week activities.

OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2008	\$48,382,000
Budget request, fiscal year 2009	54,000,000
Recommended in the bill	51,800,000
Bill compared with:	
Appropriation, fiscal year 2008	+3,418,000
Budget request, fiscal year 2009	-2,200,000

This appropriation provides agency-wide audit and investigative functions to identify and correct GSA management and administrative deficiencies that create conditions for existing or potential instances of fraud, waste, and mismanagement. The audit function provides internal audit and contract audit services. Contract audits provide professional advice to GSA contracting officials on accounting and financial matters relative to the negotiation, award, administration, repricing, and settlement of contracts. Internal audits review and evaluate all facets of GSA operations and programs, test internal control systems, and develop information to improve operating efficiencies and enhance customer services. The investigative function provides for the detection and investigation of improper and illegal activities involving GSA programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends \$51,800,000, an increase of \$3,418,000 above fiscal year 2008 and \$2,200,000 below the request.

The Committee does not approve the request for \$2,200,000 in direct funding to be coupled with reimbursed funding from the Federal Acquisition Service within GSA for pre-award audits. The Committee believes that the work done on behalf of FAS can be reimbursed through a memorandum of understanding between the interested parties.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$3,000,000
Budget request, fiscal year 2009	5,000,000
Recommended in the bill	- - -
Bill compared with:	
Appropriation, fiscal year 2008	-3,000,000
Budget request, fiscal year 2009	-5,000,000

The appropriation provides support for interagency electronic government ("e-Gov") initiatives that utilize the Internet or other electronic methods as a means to increase Federal government accessibility, efficiency, and productivity.

COMMITTEE RECOMMENDATION

The Committee recommends no additional funding for the "e-gov" account for fiscal year 2009. The Committee notes that as of March

2008 the e-gov account had \$7,200,000 still unspent from prior years, including the entire fiscal year 2008 appropriation. This amount of available funding is approximately one third of all the funds appropriated to this account since fiscal year 2002. The Committee has not seen convincing evidence which points to the need for additional funding at this time.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

Appropriation, fiscal year 2008	\$2,478,000
Budget request, fiscal year 2009	2,934,000
Recommended in the bill	2,934,000
Bill compared with:	
Appropriation, fiscal year 2008	+456,000
Budget request, fiscal year 2009	— — —

This appropriation provides support consisting of pensions, office staffs, and related expenses for former Presidents Jimmy Carter, George H.W. Bush and Bill Clinton, as well as partial year funding for George W. Bush. The account also funds pension and postal franking privileges for the widows of former Presidents Gerald Ford and Ronald Reagan. Also, this appropriation is authorized to provide funding for security and travel related expenses for each former President and the spouse of a former President pursuant to section 531 of Public Law 103–329.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$2,934,000 for allowances and office staff of former Presidents, an increase of \$456,000 above the fiscal year 2008 enacted level and the same as the budget request. The following table describes the distribution of the funds:

FISCAL YEAR 2009 BUDGET ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(Dollars in thousands)

	Carter	G H Bush	Clinton	G W Bush	Widows	Total
Personnel Compensation	96	96	96	30	0	318
Personnel Benefits	2	64	65	20	0	151
Benefits for Former Presidents	194	194	204	146	0	738
Travel	2	56	50	11	0	119
Rental Payments to GSA	102	175	544	95	0	916
Communications, Utilities and Miscellaneous charges.						
Telephone	10	17	79	15	0	121
Postage	15	13	15	3	14	60
Printing	5	14	14	3	0	36
Other Services	80	111	84	25	0	300
Supplies & Materials	5	15	26	5	0	51
Equipment	7	69	35	13	0	124
Total Obligations	518	824	1,212	366	14	2,934

PRESIDENTIAL TRANSITION EXPENSES

Appropriation, fiscal year 2008	— — —
Budget request, fiscal year 2009	\$8,520,000
Recommended in the bill	8,520,000
Bill compared with:	
Appropriation, fiscal year 2008	+8,520,000
Budget request, fiscal year 2009	— — —

GSA is authorized to provide support for the orderly transfer of executive power in connection with the expiration of the term of office of the President and the inauguration of a new President. This appropriation funds the expenses of the outgoing President and Vice President and the services and facilities required by the President-elect and Vice President-elect to assist in their preparation for the assumption of official duties as authorized by the Presidential Transition Act of 1963.

COMMITTEE RECOMMENDATION

The Committee recommends \$8,520,000 for fiscal year 2009 for expenses necessary to facilitate the Presidential transition, the same as the budget request. Of the amounts provided, \$5,300,000 is for the incoming administration and \$2,220,000 is for the outgoing administration. These funds may be used for transition activities such as providing suitable office space, staff compensation, travel expenses, communications services, and printing and postage related to the change of administration. The recommendation provides inflationary adjustments consistent with subsection 6(a) of the Presidential Transition Act.

The Committee also recommends no more than \$1,000,000 be used to reimburse Federal agencies for costs incurred to provide key prospective Presidential appointees with briefings and orientations, and to prepare the transition directory, a compilation of Federal publications and materials, including information on the organization, missions, and duties of each department and agency.

FEDERAL CITIZEN SERVICES FUND

Appropriation, fiscal year 2008	\$17,328,000
Budget request, fiscal year 2009	36,558,000
Recommended in the bill	36,096,000
Bill compared with:	
Appropriation, fiscal year 2008	+18,768,000
Budget request, fiscal year 2009	- 462,000

The Consumer Information Center (CIC) was established within GSA by Executive Order on October 26, 1970, to help Federal departments and agencies promote and distribute consumer information collected as a byproduct of the Government's program activities.

The Federal Information Center (FIC) program was established within the GSA in 1966, and was formalized by Public Law 95-491 in 1980. The program's purpose is to provide the public with direct information about all aspects of Federal programs, regulations, and services. To accomplish this mission, contractual services are used to respond to public inquiries via a nationwide toll-free telephone call center.

In 2000, the CIC assumed responsibility for the operations of the FIC program with the resulting organization being officially named the Federal Consumer Information Center. The Federal Consumer Information Center combines the nationwide toll-free telephone assistance program and the database of the FIC with the CIC website and publications distribution programs.

During fiscal year 2002, the Federal Consumer Information Center became part of GSA's newly established Office of Citizen Services and Communications and was renamed the Federal Citizen In-

formation Center (FCIC). The new Office serves as a central Federal gateway for citizens, businesses, other governments, and the media to obtain information and services from the government. FCIC assumed operational control of the FirstGov.gov website in fiscal year 2002.

Public Law 98–63, enacted July 30, 1983, established a revolving fund for the CIC. Under this fund, FCIC activities are financed from the following: annual appropriations from the general funds of the Treasury, reimbursements from agencies for distribution of publications, user fees collected from the public, and any other income incident to FCIC activities. All are available as authorized in appropriation acts without regard to fiscal year limitations.

Section 507 of this bill authorizes a change in the account name to the Federal Citizen Services Fund.

COMMITTEE RECOMMENDATION

For fiscal year 2009, the Committee recommends \$36,096,000, an increase of \$18,768,000 over the level for fiscal year 2008 and \$462,000 less than the budget request. This recommendation includes a transfer of \$18,828,000 in resources from the Operating Expenses account.

The fiscal year 2009 appropriation approves a transfer of 35 FTE and \$18,828,000 from the Operating Expenses account to consolidate funding for GSA's citizen based services. This bill also includes language to change the name of the Federal Citizen Information Fund to the Federal Citizen Services Fund to more accurately represent the activities now funded within the account.

The appropriation will be augmented by reimbursements from Federal agencies for distribution of consumer publications, user fees from the public, and other income.

The bill includes a limitation of \$50,000,000 on the availability of the revolving fund. Any revenues accruing to this fund in excess of this amount shall remain in the fund and are not available for expenditure except as authorized in appropriation Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

Section 501. The Committee continues the provision providing authority for the use of funds for the hire of motor vehicles.

Section 502. The Committee continues the provision providing that funds made available for activities of the Federal Buildings Fund may be transferred between appropriations with advance approval of the Congress.

Section 503. The Committee continues the provision prohibiting the use of funds for developing courthouse construction requests that do not meet GSA standards and the priorities of the Judicial Conference.

Section 504. The Committee continues the provision providing that no funds may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided, to any agency which does not pay the requested rent.

Section 505. The Committee continues the provision that permits GSA to pay small claims (up to \$250,000) made against the government.

Section 506. The Committee continues the provision requiring the Administrator to ensure that the delineated area of procurement for all lease agreements is identical to the delineated area included in the prospectus unless prior notice is given to the Committees.

Section 507. The Committee includes a new provision to change the Federal Citizen Information Fund account to the Federal Citizen Services Fund.

Section 508. The Committee includes a new provision to clarify the authorities of the Working Capital Fund.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$40,086,000
Budget request, fiscal year 2009	41,390,000
Recommended in the bill	41,390,000
Bill compared with:	
Appropriation, fiscal year 2008	+1,304,000
Budget request, fiscal year 2009	- - -

The Merit Systems Protection Board (MSPB) is an independent, quasi-judicial agency established to protect the civil service merit system. The MSPB adjudicates appeals primarily involving personnel actions, certain Federal employee complaints, and retirement benefits issues. The MSPB reports to the President whether merit systems are sufficiently free of prohibited employment practices.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$41,390,000 for the Merit Systems Protection Board, an increase of \$1,304,000 above the amount appropriated in fiscal year 2008 and the same as the budget request. This amount includes up to \$2,579,000 which is transferred from the Civil Service Retirement and Disability Fund. The recommendation provides funding for mandatory pay raises, increased rent payments, and other non-personnel cost increases.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$3,750,000
Budget request, fiscal year 2009	100,000
Recommended in the bill	3,750,000
Bill compared with:	
Appropriation, fiscal year 2008	- - -
Budget request, fiscal year 2009	+3,650,000

The Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992, Public Law 102–259, established the Foundation in recognition of Congressman Morris K. Udall as a champion for Native American and Alaskan Native rights, and for his leadership in encouraging a greater awareness of our nation’s environment, public lands and natural resources. The Trust Fund supports the Foundation’s scholarship, internship and research grant programs that promote educational opportunities and careers related to the environment, Native health care and tribal public policy. The Fund also allows the Foundation to carry out its mission of providing management and leadership training to tribes and tribal leaders through the University of Arizona’s Udall Center for Studies in Public Policy, Native Nations Institute.

COMMITTEE RECOMMENDATION

The Committee recommends \$3,750,000 for the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, an increase of \$3,650,000 above the President’s request and the same as provided for fiscal year 2008. The Committee maintains the same level of transfer authority from the previous fiscal year to allow the Foundation to carry out its activities.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

Appropriation, fiscal year 2008	\$2,000,000
Budget request, fiscal year 2009	850,000
Recommended in the bill	2,100,000
Bill compared with:	
Appropriation, fiscal year 2008	+100,000
Budget request, fiscal year 2009	+1,250,000

The United States Institute for Environmental Conflict Resolution was established as part of the Morris K. Udall Foundation through the Environmental Policy and Conflict Resolution Act of 1998, Public Law 105–156. The Institute provides assessment, mediation and environmental conflict resolution services in order to resolve environmental disputes among Federal agencies. The Act also established the Environmental Dispute Resolution Fund within Treasury to assist the Foundation in operating the Institute.

COMMITTEE RECOMMENDATION

The Committee recommends \$2,100,000 for the Environmental Dispute Resolution Fund, an increase of \$1,250,000 above the President’s request and \$100,000 above fiscal year 2008.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

Appropriation, fiscal year 2008	\$315,000,000
Budget request, fiscal year 2009	327,783,000
Recommended in the bill	330,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+15,000,000
Budget request, fiscal year 2009	+2,217,000

This appropriation provides the National Archives and Records Administration (NARA) with funds for its basic operations dealing with management of the Federal Government’s archives and

records, services to the public, operation of Presidential libraries, and review for declassification of classified security information.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$330,000,000 for the operating expenses of NARA, an increase of \$15,000,000 above the fiscal year 2008 enacted level and \$2,217,000 above the budget request. It is the Committee's understanding that the President's budget request for fiscal year 2009 will allow for continuation of the restored research hours and added archivists funded by the fiscal year 2008 Appropriations Act. In addition, the Committee directs that \$567,000 of the increase go toward further increases to NARA's archivist staff, which experienced a ten percent decrease in personnel between fiscal year 2002 and fiscal year 2007 before increasing slightly as a result of funding provided in the fiscal year 2008 Appropriations Act. NARA is directed to report to the Committee within 30 days of enactment of this Act on specific steps it is taking to continue to restore NARA's archivist workforce levels.

Office of Government Information Services.—The Committee's recommendation includes \$1,000,000 for NARA's new Office of Government Information Services. This office is designed to mediate and resolve disputes between the Federal Government and the public on matters pertaining to the Freedom of Information Act (FOIA), review the FOIA compliance of federal agencies, and house the newly created FOIA ombudsman, among other duties. The office was established by the OPEN Government Act of 2007 (P.L. 110–175), signed into law on December 31, 2007.

U.S. Government Records on Nazis and Japanese Imperial Government.—Of the amount provided, the Committee directs that \$650,000, available until September 30, 2010, be used to complete the review of U.S. Government documents pertaining to the activities of the Nazis and the Japanese Imperial Government. These documents are being declassified pursuant to the Nazi War Crimes Disclosure Act of 1998 (P.L. 105–246) and the Japanese Imperial Government Disclosure Act of 2000 (P.L. 106–567), which directed that government agencies ensure the declassification of files pertaining to the activities of the Nazis and the Japanese Imperial Government.

In 2007, following the declassification and review of thousands of files containing newly disclosed information about the Nazis and the Japanese Imperial Government, NARA issued a report summarizing the new historical insights gained as a result of the NARA-supervised review of these documents. However, a number of additional U.S. Army and CIA/OSS documents were discovered too late in the process to be included in NARA's 2007 report. The Committee directs that this funding be used to report separately on these remaining documents. The Committee directs NARA to report to the Committee, within 90 days of enactment of this Act, with a proposed schedule for completing the review and historical analysis of these documents and releasing a supplemental report, to serve as a companion to NARA's 2007 report.

White House Electronic Records.—The Committee is greatly concerned about the preservation of official Presidential records, including the revelations that the White House cannot account for hundreds of days of e-mails processed between 2003 and 2005. The

establishment of reliable systems and procedures to ensure that electronic Presidential records are preserved is absolutely essential. These records belong to the American people and contribute to the historical record of the Presidency. The Committee strongly urges NARA to continue to work diligently to ensure that the records of the outgoing Administration are located and preserved. The Committee also strongly urges NARA to work with the incoming Administration to establish and implement policies and procedures to ensure the preservation of electronic Presidential records.

NARA and the U.S. Territories.—The Committee strongly commends NARA for its special exhibits and public programs, held throughout the year, which explore many facets of America's history and peoples. The Committee encourages NARA to continue these efforts and also to include exhibits and public programs exploring the unique histories and contributions of the U.S. territories.

ELECTRONIC RECORDS ARCHIVES

Appropriation, fiscal year 2008	\$58,028,000
Budget request, fiscal year 2009	67,008,000
Recommended in the bill	67,008,000
Bill compared with:	
Appropriation, fiscal year 2008	+8,980,000
Budget request, fiscal year 2009	- - -

The Electronic Records Archives appropriation supports all direct NARA actions and activities associated with this major project for preserving digitally created records for archival purposes, storing and managing them electronically, and ensuring appropriate long-term access.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$67,008,000 for the Electronic Records Archives (ERA) project, an increase of \$8,980,000 above the fiscal year 2008 enacted level and the same as the budget request. Consistent with previous years, the release of the funds is subject to the approval by the Committees on Appropriations of an expenditure plan that has first been reviewed by the Government Accountability Office (GAO).

The Committee continues to be deeply concerned about the ERA project, which has experienced delays, cost overruns, and a widespread turnover of contractor staff devoted to the project. The project is at a critical juncture, as NARA is preparing to receive the electronic records of the outgoing Administration in time for the January 2009 change in Administrations. In order to overcome schedule delays that occurred in 2007, NARA and the contractor are working on a two-pronged development strategy, focusing on building a base ERA system, plus a second system devoted to receiving the Executive Office of the President (EOP) electronic records of the outgoing Administration. Yet, as GAO has recently noted, uncertainties remain. As of mid-May 2008, NARA and the contractor were still negotiating the precise scope of work and system requirements for the EOP system. The development of an EOP system in time for the presidential transition is critical so that NARA can respond in a timely fashion to the information requirements of Congress, the new Administration, the courts, and others.

The Committee wishes to continue emphasizing that a delay would be particularly harmful in the case of electronic national security records that are classified. These records will be needed in an accessible format to facilitate the national security work of the next Administration.

In light of the delays, uncertainties, and cost overrun of more than \$15,000,000, the Committee continues to strongly urge NARA to work with the contractor to avoid any further delays in schedule or cost overruns. In addition, the Committee continues the directive that NARA submit monthly ERA progress reports to both the Committee and to GAO and to immediately report to the Committee and to GAO any potential delays, cost overruns, or other problems associated with ERA development.

REPAIRS AND RESTORATION

Appropriation, fiscal year 2008	\$28,605,000
Budget request, fiscal year 2009	9,211,000
Recommended in the bill	26,711,000
Bill compared with:	
Appropriation, fiscal year 2008	-1,894,000
Budget request, fiscal year 2009	+17,500,000

This appropriation provides for the repair, alteration, and improvement of Archives facilities and Presidential libraries nationwide. It enables the National Archives to maintain its facilities in proper condition for visitors, researchers, and employees, and also maintain the structural integrity of the buildings.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$26,711,000 for repairs and restoration, \$17,500,000 above the budget request and \$1,894,000 below the fiscal year 2008 enacted level. Within the amount provided, \$17,500,000 is included for repair and renovation of the Franklin D. Roosevelt Presidential Library in Hyde Park, NY. The Committee notes that NARA's capital improvements plan has identified this effort as NARA's highest priority capital improvement need.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008	\$9,500,000
Budget request, fiscal year 2009	- - -
Recommended in the bill	12,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+2,500,000
Budget request, fiscal year 2009	+12,000,000

The National Historical Publications and Records Commission (NHPRC) program provides for grants to preserve and publish records that document American history. Administered within the National Archives and Records Administration, the NHPRC helps state, local, and private institutions preserve non-federal records, helps publish the papers of major figures in American history, and helps archivists and records managers improve their techniques, training, and ability to serve a range of information users.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$12,000,000 for the National Historical Publications and Research Commission grants program, an increase of \$2,500,000 above the fiscal year 2008 enacted level. The budget request proposed no funding for this program. Of the amount provided, \$2,000,000 is to be transferred to the Operating Expenses account for administrative costs associated with the program.

NATIONAL CREDIT UNION ADMINISTRATION
CENTRAL LIQUIDITY FACILITY

	Limitation on direct loans	Limitation on adminis- trative expenses
Fiscal year 2008 appropriation	(1,500,000,000)	(329,000)
Fiscal year 2009 request	(1,500,000,000)	(334,000)
Fiscal year 2009 recommendation	(1,500,000,000)	(334,000)
Comparison with 2008 appropriation	-- --	(+5,000)
Comparison with 2009 request	-- --	-- --

The Committee recommends a limitation of \$1,500,000,000 on the Central Liquidity Facility (CLF) lending activity to member credit unions from borrowed funds. This limitation represents the same level as fiscal year 2008 and the same as the budget request. The Committee expects to be kept apprised of CLF lending activity.

The Committee recommends the budget request of not more than \$334,000 for administrative expenses, an increase of \$5,000 above the fiscal year 2008 enacted level and the same as the budget request.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

Appropriation, fiscal year 2008	\$975,000
Budget request, fiscal year 2009	1,000,000
Recommended in the bill	1,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+25,000
Budget request, fiscal year 2009	-- --

The Community Development Revolving Loan Fund Program (CDRLF) was established in 1979 to assist officially designated "low-income" credit unions in providing basic financial services to low-income communities. Low-interest loans and deposits are made available to assist these credit unions. Loans or deposits are normally repaid in five years, although shorter repayment periods may be considered. Technical assistance grants are also available to low-income credit unions. Earnings generated from the CDRLF are available to fund technical assistance grants in addition to funds provided for specifically in appropriations acts. Grants are available for improving operations as well as addressing safety and soundness issues.

COMMITTEE RECOMMENDATION

For fiscal year 2009, the Committee recommends \$1,000,000 for the National Credit Union Administration's Community Development Revolving Loan Fund for technical assistance grants. While the Administration and NCUA have not requested additional funds for loans in fiscal year 2009, the Committee expects the CDRLF to

continue making loans from their available funds derived from repaid loans and interest earned on previous loans to designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$11,750,000
Budget request, fiscal year 2009	13,000,000
Recommended in the bill	13,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+1,250,000
Budget request, fiscal year 2009	---

The Office of Government Ethics (OGE), established by the Ethics in Government Act of 1978, partners with other executive branch Departments and agencies to foster high ethical standards. The OGE issues and monitors rules, regulations, and memoranda pertaining to the prevention and resolution of conflicts of interest, post-employment restrictions, standards of conduct, and financial disclosure for executive branch employees.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$13,000,000 for the Office of Government Ethics, an increase of \$1,250,000 above the amount appropriated in fiscal year 2008 and the same as the budget request. The Committee expects the increased funding level to be used for basic inflationary increases and for the additional costs associated with the increased workload expected from the Presidential transition.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

Appropriation, fiscal year 2008:	
General fund	\$101,765,000
Transfer from trust funds	123,901,000
Budget request, fiscal year 2009:	
General fund	92,829,000
Transfer from trust funds	118,082,000
Recommended in the bill:	
General fund	92,829,000
Transfer from trust funds	118,082,000
Bill compared with:	
Appropriation, fiscal year 2008:	
General fund	-8,936,000
Transfer from trust funds	-5,819,000
Budget request, fiscal year 2009:	
General fund	---
Transfer from trust funds	---

The Office of Personnel Management (OPM) is the Federal Government agency responsible for management of Federal human resources policy and oversight of the merit civil service system. Although individual agencies are increasingly responsible for personnel operations, OPM provides a Government-wide policy framework for personnel matters, advises and assists agencies (often on a reimbursable basis), and ensures that agency operations are con-

sistent with requirements of law, with emphasis on such issues as veterans preference. OPM oversees examining of applicants for employment, issues regulations and policies on hiring, classification and pay, training, investigations, and many other aspects of personnel management, and operates a reimbursable training program for the Federal Government's managers and executives. OPM is also responsible for administering the retirement, health benefits and life insurance programs affecting most Federal employees, retired Federal employees, and their survivors.

COMMITTEE RECOMMENDATION

The Committee recommends a general fund appropriation of \$92,829,000 for OPM, a decrease of \$8,936,000 below the enacted fiscal year 2008 level and the same as the fiscal year 2009 budget request. The recommendation includes \$5,851,000 for the Enterprise Human Resources Integration project and \$1,351,000 for the Human Resources Line of Business project.

The Committee also recommends \$118,082,000 for administrative expenses to be transferred from the appropriate trust funds. The amount includes \$15,200,000 for retirement systems modernization, or the RetireEZ program, the same as the amount requested. The Committee is extremely concerned about the developments that led to OPM's recent decision to stop work on a major contract of the retirement systems modernization project. The Committee recognizes the critical importance of the successful implementation of this project. Federal workers entering retirement must have confidence that their retirement payments will be calculated accurately and quickly, but recent testing of the retirement calculation functions of the new system fell well short of the necessary pass rate. On May 19, 2008, the Committee directed the Government Accountability Office (GAO) to conduct a study of the project as a followup to a previous review that raised several concerns about the project. The Committee directs GAO, as part of this new study, to assess the impact of the stop work order on OPM's plans for developing (including testing) and implementing RetireEZ. The Committee also directs OPM to keep the Committee fully informed regarding further developments.

The Committee appreciates the importance of OPM's Federal Human Capital Survey in providing data for independent analyses of Federal employee satisfaction. OPM shall continue to make agencies' survey data publicly available in a consistent and consolidated format, and in a timely manner.

The Committee understands that 60 percent of the Federal workforce will be eligible to retire in the next 10 years, presenting an enormous challenge to the Federal Government and the delivery of services to the public. The Committee appreciates that OPM is diligently working with Federal agencies to address this challenge, including: the establishing of agency succession plans; participating in university and college job fairs and recruitment efforts; and increasing available management and leadership training to develop the Federal Government's future executives. However, the Committee is concerned that more needs to be done to prepare for the retirement wave and improve the Federal Government's human resource effectiveness. The Committee encourages OPM to develop approaches that agencies can use to attract the best and brightest

talent; match employee skills and abilities with specific agency missions and goals; ensure that talented employees are engaged and empowered to use their talent; improve leadership development; and ensure high performance from the workforce.

As part of the effort to recruit talented Federal workers, the Committee strongly urges OPM to increase its efforts to encourage Federal agencies to reach out to diverse populations in their recruitment efforts. The most recent annual Federal Equal Opportunity Recruitment Program report to Congress notes that minorities continue to make gains in representation within the Federal workforce. However, the report also notes that women and Hispanics lag in representation within the Federal workforce as compared to the civilian labor force. The Committee notes that a study group relating to the employment of Hispanics in the Federal Government has recently been formed by the Equal Employment Opportunity Commission, the Social Security Administration, and other agencies. The Committee urges OPM to review the findings of this study group for possible approaches to improve Hispanic recruitment, retention, and advancement government-wide.

The Committee further believes that Federal agencies should increase recruitment efforts within the United States territories. The territories are home to thousands of U.S. citizens who may not be fully aware of the employment opportunities that exist within the Federal Government. Some agencies have taken steps to recruit from the territories, but others have not yet. OPM should spearhead the effort to encourage individual agency human resource offices to take advantage of the talent pool that exists in the U.S. territories.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

Appropriation, fiscal year 2008:	
General fund	\$1,519,000
Transfer from trust funds	17,081,000
Budget request, fiscal year 2009:	
General fund	1,538,000
Transfer from trust funds	16,462,000
Recommended in the bill:	
General fund	1,538,000
Transfer from trust funds	16,962,000
Bill compared with:	
Appropriation, fiscal year 2008:	
General fund	+19,000
Transfer from trust funds	-119,000
Budget request, fiscal year 2009:	
General fund	- - -
Transfer from trust funds	+500,000

This appropriation provides agency-wide audit, investigative, evaluation, and inspection functions to identify management and administrative deficiencies, which may create conditions for fraud, waste and mismanagement. The audits function provides internal agency audit, insurance audit, and contract audit services. Contract audits provide professional advice to agency contracting officials on accounting and financial matters regarding the negotiation, award, administration, repricing, and settlement of contracts. Internal au-

dits review and evaluate all facets of agency operations, including financial statements. Evaluation and inspection services provide detailed technical evaluations of agency operations. Insurance audits review the operations of health and life insurance carriers, health care providers, and insurance subscribers. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends a general fund appropriation of \$1,538,000 for the Office of Inspector General (OIG) of the Office of Personnel Management, \$19,000 above the fiscal year 2008 enacted level and the same as the fiscal year 2009 budget request. In addition, the recommendation provides \$16,962,000 from appropriate trust funds, which is \$119,000 below the fiscal year 2008 level and \$500,000 above the request.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

Appropriation, fiscal year 2008	\$8,884,000,000
Budget request, fiscal year 2009	9,533,000,000
Recommended in the bill	9,533,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+649,000,000
Budget request, fiscal year 2009	---

This appropriation covers: (1) the Government's share of the cost of health insurance for annuitants as defined in sections 8901 and 8906 of title 5, United States Code; (2) the Government's share of the cost of health insurance for annuitants who were retired when the Federal employees health benefits law became effective, as defined in the Retired Federal Employees Health Benefits Act of 1960; and (3) the Government's contribution for payment of administrative expenses incurred by the Office of Personnel Management in administration of the Act.

COMMITTEE RECOMMENDATION

The Committee recommends a mandatory appropriation estimated at \$9,533,000,000 for the Government Payment for Annuitants, Employees Health Benefits, an increase of \$649,000,000 above the fiscal year 2008 enacted level and the same as the Administration's request.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES LIFE INSURANCE

Appropriation, fiscal year 2008	\$41,000,000
Budget request, fiscal year 2009	46,000,000
Recommended in the bill	46,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+5,000,000
Budget request, fiscal year 2009	---

This appropriation finances the Government's share of premiums, which is one-third the cost, for basic life insurance for annuitants retiring after December 31, 1989, and who are less than 65 years old.

COMMITTEE RECOMMENDATION

The Committee recommends a mandatory appropriation estimated at \$46,000,000 for the Government Payment for Annuity, Employees Life Insurance, an increase of \$5,000,000 above the fiscal year 2008 enacted level and the same as the Administration's request.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

Appropriation, fiscal year 2008	\$11,941,000,000
Budget request, fiscal year 2009	10,550,000,000
Recommended in the bill	10,550,000,000
Bill compared with:	
Appropriation, fiscal year 2008	- 1,391,000,000
Budget request, fiscal year 2009	- - -

This appropriation provides for payment of annuities, including the payment of annuities under special acts for persons employed on the construction of the Panama Canal or their widows and widows of employees of the Lighthouse Service; payment of the Federal Government share of retirement costs of the unfunded liability resulting from any statute authorizing new or liberalized benefits, extension of retirement coverage, or pay increases; transfers for interest on unfunded liability and payment of military service annuities covering interest on the unfunded liability and annuity disbursements for military service; payments for spouse equity providing survivor annuities to eligible former spouses of annuitants who died between September 1978 and May 1986 and did not elect survivor coverage; and transfers for payment of FERS supplemental liability covering annual amortization payments financing supplemental liabilities for FERS.

COMMITTEE RECOMMENDATION

The Committee recommends a mandatory appropriation estimated at \$10,550,000,000 for the Payment to Civil Service Retirement and Disability Fund, a decrease of \$1,391,000,000 below the fiscal year 2008 enacted level and the same as the Administration's request.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$17,468,000
Budget request, fiscal year 2009	17,468,000
Recommended in the bill	17,468,000
Bill compared with:	
Appropriation, fiscal year 2008	- - -
Budget request, fiscal year 2009	- - -

The Office of Special Counsel (OSC): (1) investigates Federal employee allegations of prohibited personnel practices (including reprisal for whistleblowing) and, when appropriate, prosecutes before the Merit Systems Protection Board; (2) provides a channel for whistleblowing by Federal employees; and (3) enforces the Hatch Act. The Office may transmit whistleblower allegations to the agency head concerned and require an agency investigation and a report to the Congress and the President when appropriate.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$17,468,000 for the Office of Special Counsel, which is equal to the fiscal year 2008 enacted level and the fiscal year 2009 budget request.

The Committee recognizes the importance of the Office's fundamental missions of protecting Federal employees from prohibited personnel practices, providing a safe channel for whistleblower disclosures, and enforcing the Hatch Act and the Uniformed Services Employment and Reemployment Rights Act. The Committee believes that the Office must refocus its efforts toward meeting these basic responsibilities. The Committee is greatly concerned that the Office is distracted from these responsibilities as a result of serious controversies surrounding its leadership.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008 ¹	(\$14,985,000)
Budget request, fiscal year 2009	14,043,000
Recommended in the bill	14,043,000
Bill compared with:	
Appropriation, fiscal year 2008	– 942,000
Budget request, fiscal year 2009	– – –

¹ While this account did not appear in the fiscal year 2008 bill, a fiscal year 2008 operating amount is shown for comparability.

The Postal Accountability and Enhancement Act (PAEA) of 2006, Public Law 109–435, authorized the Postal Regulatory Commission to receive appropriations by transfer from the Postal Service Fund beginning in fiscal year 2009, and required the Commission to submit to Congress a budget of its expenses. The Commission establishes and maintains the U.S. Postal Service's ratemaking systems, measures service and performance, ensures accountability, and has stronger enforcement mechanisms, including the authority to issue subpoenas.

COMMITTEE RECOMMENDATION

The Committee recommends \$14,043,000, equal to the President's request and \$942,000 less than the previous fiscal year, for the operations of the Commission. The Committee recognizes the thoroughness of the Commission's first budget submission and the promptness in which it reports its findings to Congress.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$2,000,000
Budget request, fiscal year 2009	2,000,000
Recommended in the bill	1,000,000
Bill compared with:	
Appropriation, fiscal year 2008	– 1,000,000
Budget request, fiscal year 2009	– 1,000,000

Under Public Law 110–53, the Implementing Recommendations of the 9/11 Commission Act of 2007, the Privacy and Civil Liberties Oversight Board (PCLOB) was reconstituted as an independent agency within the Executive Branch. The purpose of the PCLOB is

to (1) analyze and review actions the Executive Branch takes to protect the nation from terrorism, ensuring that the need for such actions is balanced with the need to protect privacy and civil liberties; and (2) ensure that liberty concerns are appropriately considered in the development and implementation of laws, regulations, and policies related to efforts to protect the nation against terrorism.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$1,000,000 for the PCLOB. The Committee strongly supports the mission of the Board and will consider additional funding as necessary at the appropriate time. However, the Committee notes that the Board has not yet been reconstituted as required by Public Law 110-53 and, therefore, the new entity's funding requirements have not been firmly established or justified to the Committee. The Committee urges the Board, once reconstituted, to present the Committee with a detailed budget justification as quickly as possible.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$906,000,000
Budget request, fiscal year 2009	913,000,000
Recommended in the bill	928,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+22,000,000
Budget request, fiscal year 2009	+15,000,000

The primary mission of the Securities and Exchange Commission (SEC) is to protect investors and maintain the integrity of the securities markets. This includes ensuring full disclosure of financial information, regulating the nation's securities markets, and preventing fraud and malpractice in the securities and financial markets.

COMMITTEE RECOMMENDATION

The Committee recommendation includes \$928,000,000 for the SEC, including \$879,356,000 from new fee collections and \$48,644,000 from prior year balances. This total funding level is \$22,000,000 above the resources provided in fiscal year 2008 and \$15,000,000 above the request. The Committee provides an increase above the request to support the SEC's performance-based pay system, as well as to enhance enforcement, capital market oversight, and investor protection activities, including investigations of accounting fraud, market manipulation, insider trading, and investment scams that target seniors and low-income communities. In particular, the SEC should direct additional resources to improved oversight of the investment banking industry.

The Committee expects additional resources to be provided to the Office of Investor Education and Advocacy to expand investor education and financial literacy activities. The Committee believes that increased investor education will help investors make informed decisions and avoid financial fraud.

The Committee also expects that at least half of the increase over the President's request will be used to augment funds budg-

eted for merit pay under the SEC's performance-based pay system. The Committee notes the SEC staff turnover rate was 9.1 percent in fiscal year 2006 and 8.6 percent in fiscal year 2007, as compared to 5.8 percent in fiscal year 2002. The Committee is also concerned that funding constraints are forcing SEC managers to make merit pay decisions based on budget limitations rather than performance criteria. The Committee believes that adequate funding of the performance-based pay system will help the SEC recruit and retain qualified employees.

The Committee continues to be concerned with the burden that compliance with section 404 of the Sarbanes-Oxley Act of 2002 places on small businesses. While the Committee strongly supports the Act's goal of ensuring that public companies identify any weaknesses in their internal controls so that investors can have confidence in companies' financial reporting, the Committee is concerned that over regulation of small businesses could impede small business growth and capital formation. The Committee appreciates that the SEC recognizes this burden and has implemented new guidance to reduce unnecessary costs, and delayed the implementation of section 404(b) for small companies until December 15, 2009. The Committee further appreciates that the SEC is studying the costs and benefits of section 404 compliance. The Committee expects this study to provide an analysis of compliance costs for companies of different sizes including smaller public companies. The Committee expects to be kept informed on the progress of the SEC cost and benefit analysis and to be provided with the results of the study when completed.

The Committee is concerned about the impact on financial markets and investors of unregulated hedge funds. Individual investors' participation in hedge funds is reserved only for accredited investors that meet income and net worth thresholds. However, as incomes and net worth rise, the standards for qualifying as an accredited investor are becoming increasingly easy to meet for ordinary investors. This means more people are participating in hedge funds and raises serious questions about individual investors' understanding of the potential risks and rewards presented by hedge funds. Further, the Committee notes the growth of hedge funds in recent years and the corresponding increased effect the funds have on systemic risk exposure in the financial markets. The SEC is currently evaluating draft rules that address the issue of the qualifications of accredited investors. The Committee urges the SEC to take action on these rules consistent with strong investor protections. The Committee also urges the SEC to maintain the maximum possible effort in combating fraud that may be associated with hedge fund investing.

The Committee recommendation also includes bill language requested by the President that: (1) allows for the rental of space; (2) makes up to \$3,500 available for official reception and representation expenses; (3) makes up to \$20,000 available for a permanent secretariat for the International Organization of Securities Commissions; and (4) makes up to \$100,000 available for expenses of meetings and consultations with foreign governmental and regulatory officials.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$22,000,000
Budget request, fiscal year 2009	22,000,000
Recommended in the bill	22,000,000
Bill compared with:	
Appropriation, fiscal year 2008	---
Budget request, fiscal year 2009	---

The Selective Service System was established by the Selective Service Act of 1948. The basic mission of the System is to be prepared to supply manpower to the Armed Forces adequate to ensure the security of the United States during a time of national emergency. Since 1973, the Armed Forces have relied on volunteers to fill military manpower requirements, but selective service registration was reinstituted in July, 1980.

COMMITTEE RECOMMENDATION

For fiscal year 2009, the Committee recommends \$22,000,000 for the Selective Service System, equal to the fiscal year 2008 funding level and the same as the budget request, to be spent as outlined in the budget justification document.

SMALL BUSINESS ADMINISTRATION

The Small Business Administration (SBA) assists small businesses through programs involving loans, grants, and contracting preferences. These programs maintain and strengthen an economy that depends on small businesses for 60 to 80 percent of job creation. SBA programs also serve disadvantaged populations so that their small business enterprises may overcome economic and social obstacles to success.

The recommendation provides a total of \$880,274,000 for the Small Business Administration (SBA). This amount is \$221,766,000 above the budget request. Detailed guidance for the SBA appropriations accounts is presented below.

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$344,123,000
Budget request, fiscal year 2009	328,159,000
Recommended in the bill	389,208,000
Bill compared with:	
Appropriation, fiscal year 2008	+45,085,000
Budget request, fiscal year 2009	+61,049,000

COMMITTEE RECOMMENDATION

The Committee recommends \$389,208,000 for the salaries and expenses of the SBA, which is \$45,085,000 above the current year and \$61,049,000 above the request.

Of the amount provided under this heading, \$226,382,000 is for operating expenses of the SBA. In addition, a total of \$147,480,000 from other SBA accounts may be transferred to and merged with the salaries and expenses account for indirect operating costs. This amount consists of \$138,480,000 from the Business Loans Program Account and \$9,000,000 from the Disaster Loans Program Account for administrative expenses related to those accounts. The Committee also anticipates that SBA will have an additional

\$12,402,000 in fee receipts and \$4,537,000 in reimbursable amounts from other agencies available for operating expenses. This will result in a total availability of \$390,801,000 for the operating expenses of the SBA.

The Committee recommendation for salaries and expenses includes a total of \$162,826,000 for non-credit initiatives as follows:

[In thousands of dollars]	
Small Business Development Centers	\$110,000
Veterans Business Development	743
SCORE	4,950
Women's Business Centers	14,000
National Women's Business Council	743
Drug Free Workplace	990
Microloan Technical Assistance	20,000
PRIME	6,000
Native American Outreach	1,000
7(j) Technical Assistance	2,300
HUBZone	2,100
Total, non-credit initiatives	162,826

The SBA shall not reduce these noncredit programs to fund operating costs. The Committee does not approve the merging of 7(j) technical assistance or the HUBZone program into the government contracting and business development operating budget, and it also does not approve the merging of the Native American Outreach program into the Executive Direction operating budget. Further, the Committee directs the SBA to support no less than the fiscal year 2008 level of funding for the National Ombudsman; the Office of Advocacy, including support for the Advocacy Database; international trade programs; and the defense transition program. The Committee also expects the SBA to continue to enhance opportunities for small businesses to partner with the manufacturing sector.

The Committee recommendation includes increased resources for programs that are especially effective in aiding small businesses in socially and economically disadvantaged communities. Examples are the PRIME program, 7(j) technical assistance program, and the HUBZone program. The Committee expects the SBA to increase efforts to reach out to small businesses in these communities.

The Committee recommendation also includes a \$2,649,000 increase over the President's request to directly fund the Business Gateway initiative within the Small Business Administration's budget. The total amount budgeted for Business Gateway in fiscal year 2009, including SBA's original planned contribution, is \$3,187,000. Direct funding for the initiative within SBA will improve administrative efficiency by eliminating the need for as many as 80 funding transfers annually from 21 participating agencies. The Committee directs SBA to budget for direct funding for this initiative within its fiscal year 2010 budget request.

The Committee recommendation assumes an additional operating expenses increase of \$2,000,000 above the President's request. The additional funds should be used for 504 loan guarantee program liquidation activities and for additional oversight of lenders participating in the 7(a) loan guarantee program. The Committee is particularly concerned about a recent Office of Inspector General report that is critical of the agency's oversight of SBA Supervised Lenders. The Committee expects SBA to address the Inspector General's recommendations, including the hiring of additional lender oversight staff as necessary.

The Committee is disappointed with the regulations proposed in December 2007 for the implementation of women-owned small business Federal contract assistance. SBA took seven years to issue the regulations required under the Small Business Reauthorization Act of 2000. SBA very narrowly applies the regulations to a small set of industries, and it conditions set-asides for women-owned businesses on agency reviews on whether there has been past discrimination. If the rule is adopted as drafted, it is likely that there would be very few set-asides in contract competitions for women-owned businesses. This is contrary to congressional intent. The Committee strongly urges SBA to reconsider the proposed regulations.

The Committee is aware that there are certain rural areas that are underutilized business areas, but are excluded from HUBZone designation based on the current program authorization. The Committee encourages the SBA to continue to examine ways to incorporate these areas into any future revisions of the Small Business Act.

The Committee recommendation includes requested language authorizing \$3,500 for official reception and representation expenses as well as language authorizing the SBA to charge fees to cover the cost of publications and certain loan program activities. Requested language is also included that allows these fee collections to be credited to the salaries and expenses account to be available for carrying out these purposes without further appropriations.

OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2008	\$15,000,000
Budget request, fiscal year 2009	15,500,000
Recommended in the bill	16,000,000
Bill compared with:	
Appropriation, fiscal year 2008	+1,000,000
Budget request, fiscal year 2009	+500,000

COMMITTEE RECOMMENDATION

The Committee recommends \$16,000,000 for the Office of Inspector General of the SBA, which is \$1,000,000 above the amount appropriated in fiscal year 2008 and \$500,000 above the President's budget request. In addition, \$1,000,000 will be available by transfer from the Disaster loans program account.

SURETY BOND GUARANTEES REVOLVING FUND

Appropriation, fiscal year 2008	\$3,000,000
Budget request, fiscal year 2009	2,000,000
Recommended in the bill	2,000,000
Bill compared with:	
Appropriation, fiscal year 2008	-1,000,000
Budget request, fiscal year 2009	---

COMMITTEE RECOMMENDATION

The Committee recommends a total of \$2,000,000 for the Surety Bond Guarantees Revolving Fund, which is \$1,000,000 below the fiscal year 2008 level and the same as the requested level. The Committee notes that the Surety Bond program is not covered by the Federal Credit Reform Act, and that SBA requests an appropriation only when projections show that the reserves need to be

replenished to cover estimated future liabilities. The amount provided should be sufficient to address anticipated costs.

BUSINESS LOANS PROGRAM ACCOUNT

Appropriation, fiscal year 2008	\$137,414,000
Budget request, fiscal year 2009	138,480,000
Recommended in the bill	240,980,000
Bill compared with:	
Appropriation, fiscal year 2008	+103,566,000
Budget request, fiscal year 2009	+102,500,000

COMMITTEE RECOMMENDATION

The SBA Business Loan Program serves as an important source of capital for America's small businesses. The recommendation supports up to \$17,500,000,000 for the 7(a) business loan program, up to \$7,500,000,000 for the 504 certified development company program, up to \$3,000,000,000 for Small Business Investment Company (SBIC) debentures, and up to \$12,000,000,000 for the Secondary Market Guarantee Program. These program levels are the same as in the request.

The Committee recommends a total of \$240,980,000 in new budget authority for the Business Loans Program Account, which is \$103,566,000 above the fiscal year 2008 level and \$102,500,000 above the requested level. Of the amount appropriated, \$138,480,000 is for administrative expenses related to business loan programs, the same as the requested level. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans.

The recommendation includes \$100,000,000 for the subsidy cost of the 7(a) business loan guarantee program. Funds are provided first for the Increased Veteran Participation Program established by section 208 of the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2008 (Public Law 110-186), which was enacted on February 14, 2008. Remaining funds are available to reduce fees paid by all 7(a) borrowers. This funding will make 7(a) loans more affordable and will increase the attractiveness of these loans to more small businesses. This will help to stimulate small business investment and will contribute to economic growth. The effect of small businesses on the economy is considerable. Firms employing fewer than 500 employees comprise about 99.7 percent of all businesses in the nation and employ roughly half of all private sector employees. Small businesses have created 60 to 80 percent of all new jobs over the past ten years. The subsidy funding provided in this account will help to ensure the continued strength of the small business sector.

The recommendation includes \$2,500,000 for the cost of the Microloan Program. The Committee does not approve the zero subsidy recommendation for Microloans that was assumed in the President's request. The amount provided is estimated to support about \$25,000,000 in loans.

The Committee would support the extension for one additional year of SBA's authority to disburse debentures and participating securities under commitments previously issued under the SBIC program. The Committee encourages SBA to not reduce or limit its

authority relating to such commitments and to honor all current commitments regarding access to capital in the normal course of the SBIC program.

DISASTER LOANS PROGRAM ACCOUNT

Appropriation, fiscal year 2008	---
Budget request, fiscal year 2009	\$174,369,000
Recommended in the bill	160,068,000
Bill compared with:	
Appropriation, fiscal year 2008	+160,068,000
Budget request, fiscal year 2009	-14,301,000

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the subsidy costs associated with all direct loan obligations and loan guarantee commitments made in fiscal year 2009, as well as the administrative expenses of the loan programs. The Committee recommendation does not include new budget authority for direct loan subsidy for fiscal year 2009. At this time, the Committee believes adequate resources will be available to carryover into fiscal year 2009 to support the needs of the direct loan program.

The Committee recommends \$160,068,000 for fiscal year 2009, which is \$160,068,000 above fiscal year 2008 and equal to the budget request for administrative expenses to carry out the disaster loans program. Of this amount, \$1,000,000 is for the Office of Inspector General for audits and reviews of the disaster loans program.

The Committee directs the Small Business Administration to continue providing updates on available resources for the disaster loans program on a monthly basis.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

Section 510. The Committee continues an administrative provision for the Small Business Administration that authorizes transfer of up to 5 percent of any appropriation to other appropriations, provided that transfers not increase an appropriation by more than 10 percent. The provision also requires that transfers be treated as reprogrammings of funds.

Section 511. The Committee continues an administrative provision to provide funds for initiatives related to small business development and entrepreneurship, including programmatic and construction activities, to be awarded as follows:

Project Name	Amount
Adelante Development Center, Albuquerque, New Mexico	100,000
Adelante Service Expansion in Sandoval County	125,000
Advantage West Economic Development Group, Certified Entrepreneurial Community Program	200,000
African American Chamber of Commerce of Westchester and Rockland Counties, Entrepreneurial Assistance Program	200,000
AgriBusiness Development Corporation for the Hudson Valley Agribusiness Viability Program	250,000
Alamo Community College for a region energy futures park center	100,000
Alamo WorkSource Center Expansion	150,000
Arkansas State University-Newport for the Arkansas Commercial Driver Training Institute	250,000
Asian Pacific Islander Small Business Program	250,000
Asociacion De Provincias Dominicanas (ASOPRODOM) training programs	50,000
Baltimore City Public School System for the Allied Health Career Program	500,000
BARC/ TEDCO Business Innovation Center	100,000
Baruch College/CUNY, The Field Center for Entrepreneurship	70,000
Baylor University workforce development and training	200,000
Beaver Street Enterprise Center, Jacksonville, FL	200,000
Becker College Nurse Training Initiative to address health care workforce shortages	168,000
Bedford-Stuyvesant YMCA Teen Entrepreneurship Program	100,000
Berkshire Enterprises Entrepreneurial Training	80,000
Bethany House, Employment training program for homeless women and for employers	127,700
Bevill State Community College for a business incubator	300,000
Blessings Ministries Community Development Corp	50,000
Boise State University for a research and economic development and entrepreneurial initiative	200,000
Bronx Council on the Arts for marketing of local business arts initiatives	50,000
Bronx Shepherds business training programs	75,000
Bucks County Manufacturing Career Development and Green Job Training Program	200,000
Buffalo Niagara Medical Campus Business Development	200,000
Business Resource Center and Business Development Training	200,000
California State University, Dominguez Hills, Online Certificate and Applied Studies Program Targeted to Veterans, Service Disabled Veterans, and Disabled Students	200,000
Capital City Development Corporation for a business development center	200,000
Carnegie Mellon University for the Buffalo Township Business Accelerator Program	200,000
Cayuga County Industrial Development Authority for a Manufacturing and Small Business Development Project	200,000
Center for Economic Growth, Watervliet Innovation Center	200,000
Central Florida Community College for the Heart of Florida Regional Economic Development Program	100,000
Charlotte Mecklenburg Housing Partnership to increase opportunities for small businesses	300,000
Chicanos Por La Causa for a business incubator	250,000
City of Alcoa, Tennessee, for the Pellissippi Research Center	100,000
City of Baton Rouge, Louisiana, for small business investment initiative technical assistance	275,000
City of Berkeley East Bay Green Jobs Project	150,000
City of Hagerstown, Maryland for a minority and women owned business program	100,000
City of Inglewood, CA, Grow Inglewood Small Business Development Program for technical assistance to small businesses	100,000
City of San Jose, CA for the Silicon Valley Small Business Assistance Portal	250,000
City of South Pasadena, CA, for downtown business district revitalization	300,000
City of Union, South Carolina, for a regional robotics training center	100,000
Cleary University for a micro business incubator	100,000
Clemson University for an advanced materials innovation center	100,000
Cochise County Community College Entrepreneurial Education and Development	50,000
Commission on the Future of the Latino Community in New York City to establish a small business and economic development commission	125,000

Project Name	Amount
Consortium for Worker Education Financial Education and Attainment Training	200,000
County of Essex, NJ, for Workshops on How to Succeed in Business in the Public Sector for Women and Minority Small Business Enterprises	250,000
Cypress Hills Local Development Corporation, Cypress Hills Economic Revitalization Initiative	125,000
Delaware County Community College for a small business solutions center	300,000
Delta Foundation, Greenville, MS, for a Mississippi Delta business growth development program	250,000
Detroit Creative Business Accelerator	75,000
Detroit Economic Growth Corporation for Business retention and attraction	350,000
East Providence Special Waterfront Development District Commission, Green Jobs Initiative, RI	65,000
Eastern CT Chamber of Commerce for Small Business Incubation	178,000
Economic Growth Connection of Westmoreland County, PA Procurement Assistance Program	150,000
Elizabeth City Aviation Research and Development Commerce Park, Phase II	200,000
EngenuitySC for the Commercialization and Entrepreneurial Training Project	300,000
Episcopal Housing Alliance Small Business Employment & Education Center	115,000
Esperanza Community Housing Corporation Mercado La Paloma	85,000
Experience Works Small Business Assistance Program	250,000
Fairfield Incubator for Entrepreneurs Commercial Kitchen Incubator	200,000
Fairplex Trade and Conference Center	300,000
First Community Development Corporation, Business Skills Development Program	100,000
Florida Atlantic University for a Small Business Incubator Center	125,000
Foundation for Appalachian Ohio, Rural Economic Development Program	200,000
Future of the Piedmont Foundation	200,000
Gateway to Entrepreneurial Tomorrows, Inc., for the Low Income Entrepreneurial Development	100,000
Greater Des Moines Partnership for the Central Iowa Business Innovation Zone	150,000
Greater Gardner CDC Training Collaborative	220,000
Greater North Louisiana Community Development Center	300,000
Greater Rockford Airport Authority for Manufacturing Research and Development/Education Center	300,000
Greater Toledo Arts Commission Creative Industry Development	125,000
H.O.G.A.R., Inc. for an economic and community development program for the elderly and special needs persons	100,000
Heart of Texas Workforce Development Center Financial Literacy Program	100,000
Henry County, Virginia, for small business expansion and development	800,000
Heritage Foundation Inc for a small business development assistance program	75,000
Hudson Alpha Institute for Biotechnology	250,000
Hunter College, Project for Return and Opportunity in Veterans Education (PROVE)	70,000
Illinois Institute of Technology for the Illinois Manufacturing Innovation Coalition	200,000
Illinois State University for an expanding exports program	100,000
Indiana State University Innovation Alliance Business Incubator & Accelerator	200,000
Indiana University for the Indiana Innovative Incubator	200,000
International Services Council of Alabama	100,000
Iowa Valley Community College for an education and training center	500,000
Ivy Tech Community College of Indiana, Northwest Region - Gary Campus - for a Center on Logistics, Distribution and Transportation	450,000
Jacksonville State University in Alabama for remote campus and distance learning programs for small business	200,000
Jamaica Chamber of Commerce, Jamaica, NY, Jamaica Export Center	200,000
Job Training and Small Business Ownership Program	200,000
Johnstown Area Regional Industries (JARI) Incubator and Workforce Development	150,000
Kemper County, Mississippi, for an industrial park spec building	100,000
Kingsborough Community College for the South Brooklyn Maritime Center for vocational training	100,000
LaFuerza Unida Community Development Corporation, Technical Assistance	72,300

Project Name	Amount
Laredo Community College Import/Export Program	200,000
Lock Haven University Small Business Development Center	50,000
Long Island Economic and Social Policy Institute (a division of Dowling College) for a Long Island Small Business Development Center	200,000
Louisville Central Community Centers, Expansion of Small Business Incubator	200,000
Lower Chattahoochee Regional Development Center for the Southwest Georgia Rural Small Business Development Initiative	75,000
Macomb County, Michigan, for a business incubator	100,000
Manufacturers Association of Central New York	200,000
MedTech Association, Inc. for a bioscience strategic development initiative in Upstate New York	250,000
Metropolitan Council on Jewish Poverty Career Services Programs	200,000
Miami-Dade Chamber of Commerce, Technical Assistance and Economic Development Center	200,000
Middle Country Library Foundation, Miller Business Resource Center	200,000
Montana State University's manufacturing extension center	100,000
Montana World Trade Center	300,000
Montgomery College for the Germantown Biotechnology Project	168,000
Mount Hope Housing Company training programs	75,000
Mountain Association for Community Economic Development for the Energy Efficient Enterprises	250,000
National Association of Development Organizations for a business development and entrepreneurial enhancement initiative	150,000
National Latino Data Center to provide business information to local businesses, researchers, and communities	50,000
Navajo Nation Department of Information Technology for Connect Navajo	125,000
Neil D. Levin Graduate Institute, The Center for Competitive Response to Globalization	60,000
New Castle County Chamber of Commerce for an emerging enterprise center	100,000
New Hampshire Community Loan Fund for operating support for the Vested for Growth Program	200,000
New York Agency for Community Affairs for tax related technical assistance, training, and outreach for small businesses	200,000
North Brownsville Industrial Park, TX	200,000
North Carolina Biotechnology Center for the Entrepreneurship/Research and Development Training Initiative	300,000
North Iowa Area Community College for regional economic development	100,000
Northampton Community College for an electrotechnology applications center	300,000
Northeast Entrepreneur Fund, Greenstone Group	250,000
Northeast Louisiana Business and Community Development Center	425,000
Northwestern University, Kellogg School of Management Entrepreneurship Center nextONE program	200,000
Oakland African American Chamber of Commerce Foundation for the Economic Vitality of Minority Business Program	100,000
Oakland Campus of Wayne State University for an entrepreneurship center	400,000
Ohio Christian University Center for Logistics Management	700,000
Oil Region Alliance	200,000
Operation New Hope in Florida	500,000
Pacific Asian Consortium in Employment, San Gabriel Valley Business Development and Revolving Micro Loan Fund for counseling and advising services	200,000
Pecos Economic Development Corporation expansion	100,000
People for People Job Creation Initiative for Low Income Communities	250,000
Pima County Community College Entrepreneurial Education and Development	150,000
Pittsburgh Life Sciences Greenhouse for the Tech Belt Biosciences Initiative, Concept to Commercialization Model	168,000
Presbyterian Senior Services for economic and community development programs for the elderly	50,000
Research Foundation of SUNY, Downstate Advanced Biotechnology Incubator	100,000

Project Name	Amount
Rhode Island Manufacturers Institute Competitiveness study	65,000
Richard Stockton College for an aviation research and technology park	100,000
Rio Hondo College, CA Environmental Education for Small Businesses	200,000
Saint Mary's College Program for Women's Entrepreneurship	250,000
Schuylkill Economic Development Corporation for the Highridge Business Park Phase II	168,000
Seguin Works, for SEGUINWORKS Business Renovation Project	168,000
SEKTDA for economic and small business development in Southern and Eastern Kentucky	700,000
Shawnee State University for an immersive technology and arts center	300,000
Small business program, Florida Department of Citrus	300,000
Southeast Missouri State University for entrepreneurship training and workforce development	500,000
Southern University at Shreveport for a business development center	100,000
Stark State College of Technology	1,451,000
Syracuse University for an entrepreneurial accelerator program	100,000
Technology Venture Center at Montana State University	100,000
The Bi-National Sustainability Laboratory, El Paso Border Technology Commercialization Facility (BTCF)	200,000
The Enterprise Center in Tennessee	700,000
The Solar Energy Consortium to promote entrepreneurship in the solar energy industry	400,000
Thomas More College for training programs in health care management	100,000
Thorpe Family Residence for economic and community development family residential services program	50,000
Town of Middletown, RI Aquidneck Island Corporate Park	120,000
Unilich Children's Advantage Network Alumni Services Department for job training, placement and retention services to low/moderate-income young adults	300,000
United States Hispanic Chamber of Commerce, Small Business Procurement Development Initiative	200,000
United Way for Southeastern Michigan Ex-Offender Entrepreneurship Program	250,000
University of Alabama for entrepreneurial resource centers	100,000
University of Arkansas Technology Development Foundation for a research and technology park	100,000
University of Connecticut for the Avery Point Technology Center	300,000
University of Connecticut Health Center, Farmington Technology Incubation Center	200,000
University of Georgia Athens for Public Service and Outreach	50,000
University of Kansas for a center for trade and agribusiness	100,000
University of Nebraska, Kearney for the Central Nebraska World Trade Center	100,000
University of Oregon for an integrative science complex	100,000
University of Texas at San Antonio, Accelerating Technology Venture Entrepreneurship for Women and Minorities	100,000
University of Texas at San Antonio Mexico Center for economic development activities	100,000
University of the Pacific Business Forecasting Center	200,000
University of Toledo Renewable Energy Business Incubator Communication Infrastructure	125,000
University of West Florida for a business continuity and risk management center	100,000
Urban League of Rochester for minority and women business development services	100,000
Valley Economic Development Center for a Women's Business Center	100,000
Verdugo Workforce Investment Board for assistance to Minority-Owned Businesses	100,000
Village of Olympia Fields for a South Suburban Coalition Economic Development Program	125,000
Wayne County, Michigan Aerotropolis Telecommunications Portal and Logistics Center	250,000
Wayne State University for the Law School's Small Business Clinic	75,000
Western Nevada Development District for small business job creation	300,000
William Factory Small Business Incubator	300,000
Women's Enterprise Development Center Small Business Training	65,000
World Trade Center Utah	100,000
Youngstown Warren Regional Chamber for the Salute to Success Program	250,000
YWCA Metropolitan Chicago for an Economic Empowerment Program	125,000

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

Appropriation, fiscal year 2008	\$117,864,000
Budget request, fiscal year 2009	82,831,000
Recommended in the bill	111,831,000
Bill compared with:	
Appropriation, fiscal year 2008	– 6,033,000
Budget request, fiscal year 2009	+29,000,000

The United States Postal Service (USPS) is funded almost entirely by Postal rate payers rather than tax payers. Funds provided to the Postal Service in the Payment to the Postal Service Fund include appropriations for revenue forgone in providing free mail for the blind and people with disabilities, for overseas absentee voting, and for reconciliation adjustments on the basis of estimated mail volume for prior fiscal years. The Revenue Forgone Reform Act of 1993, Public Law 103–123, also authorized the reimbursement of insufficient appropriations to the Postal Service for fiscal years 1991 and 1993, and for additional revenues it would have received between 1993 and 1998 in the absence of certain rate phasing provisions applied by this Act.

COMMITTEE RECOMMENDATION

The Committee recommends appropriations totaling \$111,831,000 for Payment to the Postal Service Fund, \$29,000,000 above the President's request. \$82,831,000 is an advance appropriation for fiscal year 2010.

The Committee recognizes the importance of the United States Post Office and the Federal Court Building to the community of Danville, Virginia. The Committee hopes that the Postal Service will make every effort to maintain the Post Office in this building and provide full postal services to the citizens of Danville.

The Committee requests a report on the cost effectiveness and fuel consumption of a five-day delivery system and the efficiency and consumer demand of Saturday delivery services of the United States Postal Service.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2008 ¹	(\$233,440,000)
Budget request, fiscal year 2009	239,356,000
Recommended in the bill	239,356,000
Bill compared with:	
Appropriation, fiscal year 2008	+5,916,000
Budget request, fiscal year 2009	— — —

¹ While this account did not appear in the fiscal year 2008 bill, a fiscal year 2008 operating amount is shown for comparability.

The Postal Accountability and Enhancement Act (PAEA) of 2006, Public Law 109–435, authorized the Postal Service Office of Inspector General (OIG) to receive funding by transfer out of the Postal Service Fund beginning in fiscal year 2009. The OIG conducts audits, reviews and investigations, and keeps Congress informed on the efficiency and economy of Postal Service programs and operations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$239,356,000, equal to the President's request and \$5,916,000 more than the previous fiscal year's operating budget. The Committee commends the OIG on its first budget submission and on its timely reporting to Congress.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

Appropriation, fiscal year 2008	\$45,326,000
Budget request, fiscal year 2009	48,463,000
Recommended in the bill	48,463,000
Bill compared with:	
Appropriation, fiscal year 2008	+3,137,000
Budget request, fiscal year 2009	---

The U.S. Tax Court adjudicates controversies involving deficiencies in income, estate, and gift taxes. The Court also has jurisdiction to determine deficiencies in certain excise taxes to issue declaratory judgments in the areas of qualifications of retirement plans, exemption of charitable organizations, and to decide certain cases involving disclosure of tax information by the Commissioner of the Internal Revenue Service.

COMMITTEE RECOMMENDATION

The Committee recommends \$48,463,000 for the U.S. Tax Court, the same as the budget request and \$3,137,000 above the amount provided in fiscal year 2008.

GENERAL PROVISIONS

The following sections describe general provisions recommended by the Committee. Included are general provisions for agencies covered by this Act, agencies government-wide, and the District of Columbia. The Financial Services and General Government Appropriations Act, 2008, included several general provisions that were made permanent by inclusion of language indicating futurity. As noted by the United States Government Accountability Office:

“A provision contained in an annual appropriation act is not to be construed to be permanent legislation unless the language used therein or the nature of the provision makes it clear that Congress intended it to be permanent. The presumption can be overcome if the provision uses language indicating futurity or if the provision is of a general character bearing no relation to the object of the appropriation.

In analyzing a particular provision, the starting point in ascertaining Congress's intent is, as it must be, the language of the statute. The question to ask is whether the provision uses “words of futurity.” The most common word of futurity is “hereafter” and provisions using this term have often been construed as permanent.” (Principles of Federal Appropriations Law, Third Edition, Volume I, page 2-34)

Several provisions in the 2008 Act included the word “hereafter” as an indication of permanence. These provisions include sections 701 (concerning funds to pay travel for immediate families of employees serving abroad in cases of death or life threatening illness), 709 (concerning nominees disapproved by the Senate), 716 (concerning workplace discrimination and sexual harassment), and 737(b) and (c) (concerning E-Government). The Committee reiterates that these provisions were made permanent and, as such, does not repeat the provisions in this bill.

TITLE VI—GENERAL PROVISIONS, THIS ACT

Section 601. The Committee continues the provision prohibiting pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 602. The Committee continues the provision prohibiting obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 603. The Committee continues the provision limiting consulting service expenditures of public record in procurement contracts.

Section 604. The Committee continues the provision prohibiting funds in this Act to be transferred without express authority.

Section 605. The Committee continues the provision prohibiting the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 606. The Committee continues the provision concerning compliance with the Buy American Act.

Section 607. The Committee continues the provision prohibiting the use of funds by any person or entity convicted of violating the Buy American Act.

Section 608. The Committee continues the provision specifying reprogramming procedures. The provision requires that agencies or entities funded by the Act notify the Committee and obtain prior approval from the Committee for any reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or (7) reorganizes offices, programs, or activities. The provision also directs the agencies funded by this Act to submit operating plans for the Committee’s review within 60 days of the bill’s enactment.

Section 609. The Committee continues the provision providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 610. The Committee continues the provision providing that funds used by the Executive Office of the President not be used to request any official background investigation from the Federal Bureau of Investigation.

Section 611. The Committee continues the provision requiring that cost accounting standards not apply to a contract under the Federal Employee Health Benefits Program.

Section 612. The Committee continues the provision regarding non-foreign area cost of living allowances.

Section 613. The Committee continues the provision prohibiting the expenditure of funds for abortions under the Federal Employees Health Benefits Program (FEHBP).

Section 614. The Committee continues the provision prohibiting the expenditure of funds for abortions under the FEHBP unless the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 615. The Committee continues the provision waiving restrictions on the purchase of non-domestic articles, materials, and supplies in the case of acquisition by the Federal Government of information technology.

Section 616. The Committee continues the provision prohibiting officers or employees of any regulatory agency or commission funded by this Act from accepting travel payments or reimbursements from a person or entity regulated by such agency or commission.

Section 617. The Committee includes a new provision to give the Public Company Accounting Oversight Board (PCAOB) the authority to use funds collected from monetary penalties for a scholarship program established by the Sarbanes-Oxley Act of 2002. The Committee urges the PCAOB to give consideration to supporting scholarship opportunities for students from populations, such as ethnic minorities and women, that have been historically underrepresented in the accounting profession.

Section 618. The Committee includes a technical correction to Sec. 619 of division D of the Consolidated Appropriations Act of 2008, permanently granting the Harry S Truman Scholarship Foundation more flexibility in managing its investments.

Section 619. The Committee includes a provision to clarify the authority of the U.S. Tax Court to cover certain costs associated with U.S. Tax Court judge participation in the Federal Employees Group Life Insurance program.

Section 620. The Committee includes a new provision prohibiting funds in this Act from being used by the Federal Communications Commission to implement or enforce amendments adopted on December 18, 2007 relating to the daily newspaper cross-ownership rule.

Section 621. The Committee includes a provision prohibiting the use of funds to enforce regulations, published in the Federal Register on February 25, 2005, that impede the sales of food and medicine to Cuba.

Section 622. The Committee includes a provision allowing annual travel to Cuba for the purpose of visiting family members in Cuba.

Section 623. The Committee includes a provision specifying that for purposes of applying section 515.561 of title 31 of the Code of Federal Regulations (regarding visiting family in Cuba), the term "member of a person's immediate family" shall include any aunt, uncle, niece, nephew, or first cousin of the traveler, in addition to individuals already specified in the regulations.

Section 624. The Committee includes a provision to permanently prohibit the determination that real estate brokerage activity or

real estate management activity is financial in nature, is incidental to a financial activity, or is complementary to a financial activity.

TITLE VII—GENERAL PROVISIONS, GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Section 701. The Committee continues the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 702. The Committee continues the provision regarding price limitations on vehicles to be purchased by the Federal Government. Price limitations are updated consistent with the President's budget request.

Section 703. The Committee continues the provision allowing funds made available to agencies for travel, to also be used for quarter allowances and cost-of-living allowances.

Section 704. The Committee continues, with modification, the provision prohibiting the government, with certain specified exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental U.S. As requested by the President, an exception is added for the Department of the Interior and the USDA Forest Service for the employment of nonresident aliens as Wildland firefighters.

Section 705. The Committee continues the provision ensuring that agencies will have authority to pay GSA bills for space renovation and other services.

Section 706. The Committee continues the provision allowing agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 707. The Committee continues the provision providing that funds may be used to pay rent and other service costs in the District of Columbia.

Section 708. The Committee continues the provision prohibiting interagency financing of groups absent prior statutory approval.

Section 709. The Committee continues the provision prohibiting the use of funds for enforcing regulations disapproved in accordance with the applicable law of the U.S.

Section 710. The Committee continues the provision limiting the pay increases of certain prevailing rate employees.

Section 711. The Committee continues the provision limiting the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 712. The Committee continues the provision to allow for interagency funding of national security and emergency telecommunications initiatives.

Section 713. The Committee continues, with modification, the provision requiring agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House. As requested by the President, the National Geospatial-Intelligence Agency is added to the list of agencies excepted from the provision.

Section 714. The Committee continues the provision prohibiting the payment of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 715. The Committee continues the provision prohibiting Federal training not directly related to the performance of official duties.

Section 716. The Committee continues the provision prohibiting the expenditure of funds for implementation of agreements in non-disclosure policies unless certain provisions are included.

Section 717. The Committee continues the provision prohibiting, other than for normal and recognized executive-legislative relationships, propaganda, publicity and lobbying by executive agency personnel in support or defeat of legislative initiatives.

Section 718. The Committee continues the provision prohibiting any Federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 719. The Committee continues the provision prohibiting funds to be used to provide non-public information such as mailing or telephone lists to any person or organization outside the government without the approval of the Committees on Appropriations.

Section 720. The Committee continues the provision prohibiting the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 721. The Committee continues the provision directing agency employees to use official time in an honest effort to perform official duties.

Section 722. The Committee continues the provision authorizing the use of funds to finance an appropriate share of the Federal Accounting Standards Advisory Board.

Section 723. The Committee continues the provision, with technical modifications, authorizing agencies to transfer funds (not to exceed \$11,700,000) to the Government-wide Policy account of GSA to finance an appropriate share of various government-wide boards and councils. The authority to transfer \$1,700,000 in funding above fiscal year 2008 is authorized for the Budget Formulation Execution Manager initiative.

Section 724. The Committee continues the provision that permits breast feeding in a Federal building or on Federal property if the woman and child are authorized to be there.

Section 725. The Committee continues the provision that permits interagency funding of the National Science and Technology Council and provides for a report on the budget and resources of the National Science and Technology Council. The report should include the entire budget of the National Science and Technology Council.

Section 726. The Committee continues the provision requiring documents involving the distribution of Federal funds to indicate the agency providing the funds and the amount provided.

Section 727. The Committee continues the provision prohibiting the use of funds to monitor personal information relating to the use of Federal Internet sites to collect, review, or create any aggregate list that includes personally identifiable information relating to access to or use of any Federal Internet site of such agency.

Section 728. The Committee continues a provision requiring health plans participating in the FEHBP to provide contraceptive coverage and provides exemptions to certain religious plans.

Section 729. The Committee continues the provision providing recognition of the U.S. Anti-Doping Agency as the official anti-doping agency.

Section 730. The Committee continues a provision allowing funds for official travel to be used by departments and agencies, if consistent with OMB Circular A-126, to participate in the fractional aircraft ownership pilot program.

Section 731. The Committee continues a provision prohibiting funds for implementation of OPM regulations limiting detailees to the Legislative Branch, and implementing limitations on the Coast Guard Congressional Fellowship Program.

Section 732. The Committee continues the provision that restricts the use of funds for Federal law enforcement training facilities.

Section 733. The Committee continues and modifies the provision concerning transfers or reimbursements for “E-Government” initiatives.

Section 734. The Committee includes a new provision that amends section 739(a)(1) of the Financial Services and General Government Appropriations Act, 2008, relating to requirements for public-private competitions.

Section 735. The Committee includes a new provision that amends section 739(b) of the Financial Services and General Government Appropriations Act, 2008, relating to insourcing of new and contracted out functions.

Section 736. The Committee includes a new provision that prohibits the use of funds to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by civilian Federal employees pursuant to Office of Management and Budget Circular A-76 or any other administrative regulation, directive, or policy. The provision is a one-year moratorium on new A-76 studies so that the new Administration may have an opportunity to review and develop Federal workforce policies.

Section 737. The Committee continues a provision, with modifications, providing that the adjustment in rates of basic pay for employees under statutory pay systems taking effect in fiscal year 2009 shall be an increase of 3.9 percent.

Section 738. The Committee continues the provision that prohibits Executive Branch agencies from creating prepackaged news stories that are broadcast or distributed in the United States unless the story includes a clear notification within the text or audio of that news story that the prepackaged news story was prepared or funded by that executive branch agency. This provision confirms the opinion of the Government Accountability Office dated February 17, 2005 (B-304272).

Section 739. The Committee continues the provision prohibiting funds used in contravention of section 552a of title 5, United States Code (the Privacy Act) and regulations implementing that section.

Section 740. The Committee continues the provision requiring agencies to evaluate the creditworthiness of an individual before issuing the individual a government travel charge card and limits agency actions accordingly.

Section 741. The Committee continues, with modification, the provision to require the Office of Management and Budget to sub-

mit a report on budget information relating to Great Lakes restoration activities. The provision requires the report to be submitted no later than 45 days after submission of the President's budget.

Section 742. The Committee continues, with modification, a provision prohibiting funds from being used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation. Language is included regarding compliance with the Buy American Act.

Section 743. The Committee continues the provision concerning Inspector General websites.

Section 744. The Committee includes a provision, as requested by the President, to permit public or private institutions of higher education to provide Federal employees or employees of the District of Columbia with financial assistance in the form of repayment of a student loan or forbearance of a student loan repayment. Such assistance may only be provided to a current or former student of the institution. An identical provision appeared in division B (Commerce, Justice, Science, And Related Agencies Appropriations Act, 2008) of Public Law 110-161.

Section 745. The Committee includes a new provision prohibiting the Office of Personnel Management or any other agency from using funds to implement regulations changing the competitive areas under reductions-in-force for Federal employees.

Section 746. The Committee includes a new provision prohibiting the funds from being used to implement the Regulatory Policy Officer provisions contained in Executive Order 13422.

Section 747. The Committee expects the Federal Government to lead by example and can do so by conducting their business in an environmentally, economically, fiscally sound and scientifically defensible manner. The Steering Committee on Strengthening Federal Environmental, Energy, and Transportation Management and the Office of the Federal Environmental Executive, created by Executive Order 13423, are responsible for the monitoring and reporting of Federal agency protocols and successes in implementing that executive order, including the requirements to avoid or reduce net greenhouse gas emissions. The Committee believes that the Climate Leaders program at the Environmental Protection Agency, in conjunction with other Federal agencies, should advise the Steering Committee on best practicable protocols for Federal agencies to quantify their annual greenhouse gas (GHG) net emissions and comprehensive greenhouse gas reduction programs. Additionally, the Committee believes that the leadership of the Steering Committee should be augmented to include three co-chairs. This additional co-chair is to be appointed by the President and should have strong technical or scientific expertise relating to greenhouse gas emissions. Finally, the Steering Committee is to provide reports on annual GHG net emissions, and avoidance or reductions of them, to the Appropriations Committee by March 15, 2009 and every year thereafter. Prior to implementation of this provision, the Steering Committee should consult with the Appropriations Committee.

Section 748. The Committee continues the provision concerning the application of these general provisions to title IV and to title VIII.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

Section 801. The Committee continues the provision that specifies that an appropriation for a particular purpose or object shall be considered as the maximum amount that may be expended for said purpose or object.

Section 802. The Committee continues the provision that permits funds for travel and payment of dues.

Section 803. The Committee continues the provision that appropriates funds for refunding overpayments of taxes collected and for paying settlements and judgments against the District of Columbia government.

Section 804. The Committee continues the provision that prohibits the use of appropriated funds for publicity or propaganda purposes to apply to Federal funds.

Section 805. The Committee continues the provision that establishes reprogramming and transfer requirements with respect to notification requirements for the reprogramming of local funds.

Section 806. The Committee continues the provision that prohibits use of funds only to the objects for which the appropriations were made.

Section 807. The Committee continues the provision prohibiting the use of Federal funds to implement the District of Columbia's Health Care Benefits Act of 1992.

Section 808. The Committee makes permanent the provision that allows the mayor to accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

Section 809. The Committee modifies the provision that restricts the use of official vehicles to official duties and not between a residence and workplace, with certain exceptions.

Section 810. The Committee continues the provision that prohibits the use of appropriated funds by the Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia to apply to Federal funds.

Section 811. The Committee continues a provision to prohibit the use of Federal funds in this Act to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

Section 812. The Committee continues the provision that includes a "conscience clause" on legislation that pertains to contraceptive coverage by health insurance plans.

Section 813. The Committee continues the provision that requires the CFO to submit a revised appropriated funds operating budget in the format of the budget that the District government submitted pursuant to section 442 of the DC Home Rule Act for all agencies no later than 30 calendar days after the date of enactment of this Act.

Section 814. The Committee modifies the provision to no longer prohibit the use of any funds in the Act to pay the fees of an attorney who represents a party in an action or any attorney who defends any action, including an administrative proceeding, brought

against D.C. Public Schools under the Individuals With Disabilities Act (IDEA) in excess of \$4,000.

Section 815. The Committee makes permanent a provision that allows for appropriations in this Act to be increased by no more than \$100,000,000 from unexpended general funds, and may be used only for one-time expenditures, to avoid deficit spending, for debt reduction, for program needs, or to avoid revenue shortfalls.

Section 816. The Committee makes permanent the provision that allows the District to Spend “Other-Type Funds” under certain conditions.

Section 817. The Committee makes permanent the provision that allows for short-term borrowing from the emergency and contingency reserve funds established under section 450A of the District of Columbia Home Rule Act under certain circumstances.

Section 818. The Committee continues the provision relating to medical marijuana.

Section 819. The Committee continues the provision relating to abortion services.

Section 820. The Committee continues the provision authorizing the transfer of local funds to capital and enterprise funds.

Section 821. The Committee includes a provision authorizing a raise in the hourly rate paid to public defenders.

Section 822. The Committee continues the provision which limits references to “this Act” as referring to only this title and title IV.

HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

The following items are included in accordance with various requirements of the Rules of the House of Representatives:

CONSTITUTIONAL AUTHORITY

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Appropriations bases its authority to report this legislation from clause 7 of section 9 of Article I of the Constitution of the United States of America which states:

No money shall be drawn from the Treasury but in consequence of Appropriations made by law * * *

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program’s success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill that are not authorized by law:

[Dollars in thousands]

	Last Year of Authorization	Authorization Level	Appropriation in Last Year of Authorization	Appropriations in this bill
Title I - Department of the Treasury				
Departmental Offices ^{1,2,3,4}	n/a	n/a	n/a	250,591
Department-wide Systems and Capital Investments.....	n/a	n/a	n/a	18,710
Office of the Inspector General.....	n/a	n/a	n/a	18,450
Inspector General for Tax Administration.....	n/a	n/a	n/a	140,533
Financial Crimes Enforcement Network.....	2005	35,500	10,416	83,344
Financial Management Service.....	n/a	n/a	n/a	234,423
Alcohol and Tobacco Tax and Trade Bureau.....	n/a	n/a	n/a	93,515
Bureau of Public Debt.....	n/a	n/a	n/a	172,871
Community Development and Financial Institutions Fund.....	1998	60,000	80,000	105,000
Internal Revenue Service:				
Taxpayer Services.....	n/a	n/a	n/a	2,155,000
Enforcement ⁵	n/a	n/a	n/a	4,925,498
Operations Support.....	n/a	n/a	n/a	3,769,587
Business Systems Modernization.....	n/a	n/a	n/a	282,090
Health Insurance Tax Credit Administration.....	2003	20,000	70,000	15,235
Title II - Executive Office of the President				
Office of Management and Budget.....	2003	various	61,988	79,972
ONDCP: Training for drug court professionals.....	n/a	n/a	n/a	1,000
Title IV - District of Columbia				
Federal Payment for the DC Water and Sewer Authority.....	n/a	n/a	n/a	12,000
Federal Payment for School Improvement.....	n/a	n/a	n/a	54,000
Federal Payment to Jumpstart Public School Reform.....	n/a	n/a	n/a	20,000
Federal Payment for Central Library and Branch Locations.....	n/a	n/a	n/a	7,000
Federal Payment for Consolidated Laboratory Facility.....	n/a	n/a	n/a	21,000
Federal Payment to the Office of the Chief Financial Officer of the District of Columbia.....	n/a	n/a	n/a	4,486
Title V - Independent Agencies				
Consumer Product Safety Commission.....	1992	45,000	40,200	100,000
Election Assistance Commission:				
Salaries and expenses.....	2005	10,000	13,888	18,559
Election reform programs.....	2005	600,000	---	116,000
Federal Communications Commission.....	1991	such sums	115,794	338,875
Federal Election Commission.....	1981	9,400	51,742	63,518
Federal Trade Commission.....	1998	111,000	106,500	259,200
General Services Administration:				
Federal Buildings Fund ⁶	⁶	⁶	⁶	8,164,472
Office of Government Ethics.....	2007	such sums	11,115	11,750
Office of Special Counsel.....	2007	such sums	15,524	17,468
Merit Systems Protection Board.....	2007	such sums	38,666	40,086
Morris K. Udall Foundation Scholarship and Excellence in National Environmental Policy Foundation:				
Environmental Dispute Resolution Fund.....	2008	4,000	2,000	2,100
National Credit Union Administration:				
Community Development Revolving Loan Fund.....	1998	2,000	---	1,000
Securities and Exchange Commission.....	2003	776,000	716,350	928,000
Small Business Administration.....	⁷	such sums	568,988	880,274

¹ Appropriations for International Affairs activities were permanently authorized in 31 U.S.C. sec 325(b) (1982).² Appropriations for OFAC activities related to Cuba were permanently authorized in 22 U.S.C. sec 6609 (1992).³ Money Laundering and Financial Crimes Strategy were permanently authorized in 31 U.S.C. sec 5355 (2005).⁴ Treasury intelligence appropriations were last authorized in the FY 2005 Intelligence Authorization Act (P.L. 108-487).⁵ The Earned Income Tax Credit compliance program was authorized in P.L. 105-33 (2002).⁶ Deposits into the Federal buildings fund are available for real property management and related activities in the amounts specified in annual appropriation laws, as provided by 40 USC 592.⁷ The Small Business Administration has a temporary extension of authorization through March 20, 2009.

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following statement is submitted describing the transfers of funds provided in the accompanying bill.

The Committee recommends the following transfers:

UNDER TITLE I—DEPARTMENT OF THE TREASURY

Under the Department of the Treasury, “Departmental offices, salaries and expenses”, up to four percent may be transferred between program activities of the Departmental Offices under certain circumstances, and amounts greater than four percent may be transferred, subject to prior congressional approval; and that of the \$5,114,000 for the Treasury-wide Financial Statement Audit and Internal Control program, such amounts as necessary may be transferred to the Department’s offices and bureaus.

Under the Department of the Treasury, “Department-wide systems and capital investments programs”, amounts necessary to satisfy the requirements of the Department’s offices, bureaus, and other organizations may be transferred.

Under the Internal Revenue Service (IRS), “Enforcement”, up to \$10,000,000 may be transferred to “Operations support” for management of the Interagency Crime and Drug Enforcement program.

Section 101 allows the transfer of five percent of any appropriation (or three percent of IRS, “Enforcement”) made available to the IRS to any other IRS appropriation, subject to prior congressional approval.

Section 108 authorizes transfers, up to two percent, between Departmental Offices, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and the Bureau of the Public Debt appropriations under certain circumstances.

Section 109 authorizes transfers, up to two percent, between the IRS and the Treasury Inspector General for Tax Administration under certain circumstances.

Section 112 authorizes the transfer of funds from the “Financial management service, salaries and expenses”, to the “Debt collection fund” as necessary to cover the cost of debt collection.

UNDER TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT

Language is included under Office of National Drug Control Policy, “Counterdrug technology assessment center”, allowing for the transfer of funds to other Federal departments or agencies.

Language is included under Federal Drug Control Programs, “High intensity drug trafficking areas program”, which allows for the transfer of funds to other Federal departments or agencies.

Language is included under Federal Drug Control Programs, “Other Federal drug control programs”, allowing the transfer of funds to other Federal departments or agencies.

Language is included under Presidential Transition Administrative Support allowing the transfer of funds to other accounts that provide funding for offices within the Executive Office of the President and the Office of the Vice President.

Language is included under the Official Residence of the Vice President, "Operating expenses", allowing the transfer of funds to other Federal departments or agencies.

Section 201. The Committee continues a provision permitting the Executive Office of the President to transfer up to 10 percent of any appropriation, subject to a 15 day notification period.

UNDER TITLE III—THE JUDICIARY

Under the Judiciary, "Courts of appeals, district courts, and other judicial services", funds may be transferred to the United States Marshals Service for courthouse security.

Section 302. The Committee continues a provision permitting the Judiciary to transfer up to five percent of any appropriation with certain limitations.

UNDER TITLE V—INDEPENDENT AGENCIES

Under Title V, Independent Agencies, a number of transfers are allowed: (1) the General Services Administration allowances and Office Staff for Former Presidents account may transfer such sums as necessary to the Department of the Treasury for certain pension benefits; (2) under the Election Assistance Commission, an amount is transferred to the National Institute of Standards and Technology; (3) under the Federal Communications Commission, an amount is transferred from the Universal Service Fund; (4) under Merit Systems Protection Board, an amount is transferred from the Civil Service Retirement and Disability Fund; (5) under Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, a certain percentage of funds may be transferred to the Native Nations Institute for necessary expenses; (6) under the National Archives and Records Administration, an amount is transferred from the National Historical Publications and Records Commission to the operating expenses account; (7) under Office of Personnel Management, amounts from certain trust funds are transferred to the salaries and expenses account for administrative expenses; (8) under Office of Personnel Management, Office of Inspector General, amounts from certain trust funds are transferred to the salaries and expenses account for administrative expenses; (9) under the Postal Regulatory Commission, amounts are transferred from the Postal Service Fund; (10) under Small Business Administration, amounts are transferred from Business loans and Disaster loans accounts to the Office of Inspector General and Salaries and Expenses; (11) under Administrative Provision-Small Business Administration, amounts may be transferred between appropriations of the Small Business Administration; (12) under United States Postal Service, Office of Inspector General, amounts are transferred from the Postal Service Fund.

Section 521. The Committee continues the provision providing that funds made available for activities of the Federal Buildings Fund may be transferred with advance approval from the Committees on Appropriations.

UNDER TITLE VIII—GENERAL PROVISIONS, DISTRICT OF COLUMBIA

The Committee has included language to allow the District of Columbia to transfer local funds in certain instances.

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

DEPARTMENT OF JUSTICE APPROPRIATIONS ACT, 1998

(Public Law 105–119)

AN ACT Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

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TITLE I—DEPARTMENT OF JUSTICE

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GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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SEC. 122. (a) * * *

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(g)(1) Notwithstanding any other provision of law and subject to paragraph (2), the Secretary of the Treasury is authorized to establish, for a period of **[10 years]** *11 years* from date of enactment of this provision, a personnel management demonstration project providing for the compensation and performance management of not more than a combined total of 950 employees who fill critical scientific, technical, engineering, intelligence analyst, language translator, and medical positions in the Bureau of Alcohol, Tobacco and Firearms.

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TITLE 28, UNITED STATES CODE

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PART III—COURT OFFICERS AND EMPLOYEES

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CHAPTER 41—ADMINISTRATIVE OFFICE OF UNITED STATES COURTS

* * * * *

§ 604. Duties of Director generally

(a) The Director shall be the administrative officer of the courts, and under the supervision and direction of the Judicial Conference of the United States, shall:

(1) * * *

* * * * *

(5) Fix the compensation of clerks of court, deputies, librarians, criers, messengers, law clerks, secretaries, stenographers, clerical assistants, and other employees of the courts whose compensation is not otherwise fixed by law, and, notwithstanding any other provision of law, pay on behalf of Justices and judges of the United States appointed to hold office during good behavior [magistrate judges appointed under section 631 of this title,], *United States magistrate judges, bankruptcy judges appointed under chapter 6 of this title, judges of the District Court of Guam, judges of the District Court for the Northern Mariana Islands, judges of the District Court of the Virgin Islands, bankruptcy judges and magistrate judges retired under section 377 of this title, and judges retired under section 373 of this title, who are, aged 65 or over, any increases in the cost of Federal Employees' Group Life Insurance imposed after April 24, 1999, including any expenses generated by such payments, as authorized by the Judicial Conference of the United States;*

* * * * *

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

DIVISION A—TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

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TITLE IV

THE JUDICIARY

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ADMINISTRATIVE PROVISIONS—THE JUDICIARY

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SEC. 407. (a) * * *

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[(c) The authorities granted in this section shall expire on September 30, 2010.]

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SECTION 3672 OF TITLE 18, UNITED STATES CODE

§ 3672. Duties of Director of Administrative Office of the United States Courts

The Director of the Administrative Office of the United States Courts, or his authorized agent, shall investigate the work of the probation officers and make recommendations concerning the same

to the respective judges and shall have access to the records of all probation officers.

He shall collect for publication statistical and other information concerning the work of the probation officers.

He shall prescribe record forms and statistics to be kept by the probation officers and shall formulate general rules for the proper conduct of the probation work.

He shall endeavor by all suitable means to promote the efficient administration of the probation system and the enforcement of the probation laws in all United States courts.

He shall, under the supervision and direction of the Judicial Conference of the United States, fix the salaries of probation officers and shall provide for their necessary expenses including clerical service and travel expenses.

He shall incorporate in his annual report a statement concerning the operation of the probation system in such courts.

He shall have the authority to contract with any appropriate public or private agency or person for the detection of and care in the community of an offender who is an alcohol-dependent person, an addict or a drug-dependent person, or a person suffering from a psychiatric disorder within the meaning of section 2 of the Public Health Service Act. This authority shall include the authority to provide equipment and supplies; testing; medical, educational, social, psychological and vocational services; corrective and preventative guidance and training; and other rehabilitative services designed to protect the public and benefit the alcohol-dependent person, addict or drug-dependent person, or a person suffering from a psychiatric disorder by eliminating his dependence on alcohol or addicting drugs, by controlling his dependence and his susceptibility to addiction, or by treating his psychiatric disorder. He may negotiate and award such contracts without regard to section 3709 of the Revised Statutes of the United States. He also shall have the authority *to expend funds* or to contract with any appropriate public or private agency or person to monitor and provide services to any offender in the community authorized by [this Act] *this paragraph*, including treatment, equipment and emergency housing, corrective and preventative guidance and training, and other rehabilitative services designed to protect the public and promote the successful reentry of the offender into the community.

He shall pay for presentence studies and reports by qualified consultants and presentence examinations and reports by psychiatric or psychological examiners ordered by the court under subsection (b) or (c) of section 3552, except for studies conducted by the Bureau of Prisons.

Whenever the court finds that funds are available for payment by or on behalf of a person furnished such services, training, or guidance, the court may direct that such funds be paid to the Director. Any moneys collected under this paragraph shall be used to reimburse the appropriations obligated and disbursed in payment for such services, training, or guidance.

* * * * *

SECTION 203 OF THE JUDICIAL IMPROVEMENTS ACT OF 1990

SEC. 203. DISTRICT JUDGES FOR THE DISTRICT COURTS.

(a) * * *

* * * * *

(c) TEMPORARY JUDGEShips.—The President shall appoint, by and with the advice and consent of the Senate—

(1) * * *

* * * * *

Except with respect to the district of Kansas, the western district of Michigan, the eastern district of Pennsylvania, and the northern district of Ohio, the first vacancy in the office of district judge in each of the judicial districts named in this subsection, occurring 10 years or more after the confirmation date of the judge named to fill the temporary judgeship created by this subsection, shall not be filled. The first vacancy in the office of district judge in the district of Kansas occurring ~~17~~ 21 years or more after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled. The first vacancy in the office of district judge in the western district of Michigan, occurring after December 1, 1995, shall not be filled. The first vacancy in the office of district judge in the eastern district of Pennsylvania, occurring 5 years or more after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled. The first vacancy in the office of district judge in the northern district of Ohio occurring ~~17~~ 21 years or more after the confirmation date of the judge named to fill the temporary judgeship created under this subsection shall not be filled. For districts named in this subsection for which multiple judgeships are created by this Act, the last of those judgeships filled shall be the judgeships created under this section.

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TITLE 40, UNITED STATES CODE

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SUBTITLE I—FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES

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CHAPTER 3—ORGANIZATION OF GENERAL SERVICES ADMINISTRATION

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SUBCHAPTER II—ADMINISTRATIVE

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§ 312. Transfer and use of amounts for major equipment acquisitions

[(a) IN GENERAL.—Subject to subsection (b), unobligated balances of amounts appropriated or otherwise made available to the General Services Administration for operating expenses and salaries and expenses may be transferred and merged into the “Major equipment acquisitions and development activity” of the Salaries and Expenses, General Management and Administration appropriation account for—

[(1) agency-wide acquisition of capital equipment, automated data processing systems; and

[(2) financial management and management information systems needed to implement the Chief Financial Officers Act of 1990 (Public Law 101–576, 104 Stat. 2838) and other laws or regulations.

[(b) REQUIREMENTS AND AVAILABILITY.—

[(1) TIME FOR TRANSFER.—Transfer of an amount under this section must be done no later than the end of the fifth fiscal year after the fiscal year for which the amount is appropriated or otherwise made available.

[(2) APPROVAL FOR USE.—An amount transferred under this section may be used only with the advance approval of the Committees on Appropriations of the House of Representatives and the Senate.

[(3) AVAILABILITY.—An amount transferred under this section remains available until expended.]

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SUBCHAPTER III—FUNDS

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§ 323. Consumer Information Center Fund

(a) EXISTENCE.—There is in the Treasury a [Consumer Information Center] *Federal Citizen Services* Fund, General Services Administration, for the purpose of disseminating Federal Government [consumer] information to the public and for other related purposes.

(b) DEPOSITS.—Money shall be deposited into the Fund from—

(1) appropriations from the Treasury for [Consumer Information Center] *Federal Citizen Services* activities;

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SUBTITLE II—PUBLIC BUILDINGS AND WORKS

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PART A—GENERAL

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SUBCHAPTER VI—MISCELLANEOUS

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[§ 3173. Working capital fund for blueprinting, photostating, and duplicating services in General Services Administration]

[(a) ESTABLISHMENT AND PURPOSE.—There is a working capital fund for the payment of salaries and other expenses necessary to the operation of a central blue-printing, photostating, and duplicating service.]

[(b) COMPONENTS.—The fund consists of—

[(1) \$50,000 without fiscal year limitation; and

[(2) reimbursements from available amounts of constituents of the Administrator of General Services, or of any other federal agency for which services are performed, at rates to be determined by the Administrator on the basis of estimated or actual charges for personal services, material, equipment (including maintenance, repair, and depreciation on existing and new equipment) and other expenses, to ensure continuous operation.]

[(c) DEPOSIT OF EXCESS AMOUNTS IN THE TREASURY.—At the close of each fiscal year any excess amount resulting from operation of the service, after adequately providing for the replacement of mechanical and other equipment and for accrued annual leave of employees engaged in this work by the establishment of reserves for those purposes, shall be deposited in the Treasury as miscellaneous receipts.]

§ 3173. Working capital fund for General Services Administration

(a) *ESTABLISHMENT AND PURPOSE.*—*There is a working capital fund for the necessary expenses of administrative support services including accounting, budget, personnel, legal support and other related services; and the maintenance and operation of printing and reproduction facilities in support of the functions of the General Services Administration, other Federal agencies, and other entities; and other such administrative and management services that the Administrator of GSA deems appropriate and advantageous (subject to prior notice to the Office of Management and Budget).*

(b) *COMPOSITION.*—

(1) *IN GENERAL.*—*Amounts received shall be credited to and merged with the Fund, to remain available until expended, for operating costs and capital outlays of the Fund: Provided, That entities for which such services are performed shall be charged at rates which will return in full all costs of providing such services.*

(2) *COST AND CAPITAL REQUIREMENTS.*—*The Administrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall develop a plan concerning such requirements in consultation with the Chief Financial Officer of the General Services Administration. Any change to the cost and capital requirements of the Fund for a fiscal year shall be approved by the Administrator. The Administrator shall establish rates to be charged to entities for which services are performed, in accordance with the plan.*

(c) *DEPOSIT OF EXCESS AMOUNTS IN THE TREASURY.*—*At the close of each fiscal year, after making provision for anticipated operating needs reflected in the cost and capital plan developed under sub-*

section (b), the uncommitted balance of any funds remaining in the Fund shall be transferred to the general fund of the Treasury as miscellaneous receipts.

(d) **TRANSFER AND USE OF AMOUNTS FOR MAJOR EQUIPMENT ACQUISITIONS.**—

(1) **IN GENERAL.**—Subject to subparagraph (2), unobligated balances of amounts appropriated or otherwise made available to the General Services Administration for operating expenses and salaries and expenses may be transferred and merged into the “Major equipment acquisitions and development activity” of the working capital fund of the General Services Administration for agency-wide acquisition of capital equipment, automated data processing systems and financial management and management information systems: Provided, That acquisitions are limited to those needed to implement the Chief Financial Officers Act of 1990 (Public Law 101-576, 104 Stat. 2838) and related laws or regulations.

(2) **Requirements and Availability.**—

(A) **TIME FOR TRANSFER.**—Transfer of an amount under this section must be done no later than the end of the fifth fiscal year after the fiscal year for which the amount is appropriated or otherwise made available.

(B) **APPROVAL FOR USE.**—An amount transferred under this section may be used only with the advance approval of the Committees on Appropriations of the House of Representatives and the Senate.

(C) **AVAILABILITY.**—An amount transferred under this section remains available until expended.

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CONSOLIDATED APPROPRIATIONS ACT, 2008

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**DIVISION D—FINANCIAL SERVICES AND GENERAL
GOVERNMENT APPROPRIATIONS ACT, 2008**

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TITLE VI

GENERAL PROVISIONS—THIS ACT

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[SEC. 619. Notwithstanding section 10(b) of the Harry S Truman Memorial Scholarship Act (20 U.S.C. 2009(b)), hereafter, at the request of the Board of Trustees of the Harry S Truman Scholarship Foundation, it shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated and contributed to the Harry S Truman Memorial Scholarship Trust Fund, as provided in such section. All requests of the Board of Trustees to the Secretary provided for in this section shall be binding on the Secretary.]

SEC. 619. Hereafter, the Secretary of the Treasury shall invest such amounts appropriated and contributed to the Harry S Truman Memorial Scholarship Trust Fund in such obligations as the Board of Trustees of the Harry S Truman Scholarship Foundation may re-

quest. Such a request shall be binding on the Secretary to the extent consistent with section 10(b) of the Harry S Truman Memorial Scholarship Act (20 U.S.C. 2009(b)), without regard to the last sentence thereof.

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TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

* * * * *

SEC. 739. (a) REQUIREMENT FOR PUBLIC-PRIVATE COMPETITION.—

(1) Notwithstanding any other provision of law, none of the funds appropriated by this or any other Act shall be available to convert to contractor performance an activity or function of an executive agency that, on or after the date of enactment of this Act, is performed by **[more than 10]** Federal employees unless—

(A) * * *

* * * * *

[(b) USE OF PUBLIC-PRIVATE COMPETITION.—Nothing in Office of Management and Budget Circular A-76 shall prevent the head of an executive agency from conducting a public-private competition to evaluate the benefits of converting work from contract performance to performance by Federal employees in appropriate instances. The Circular shall provide procedures and policies for these competitions that are similar to those applied to competitions that may result in the conversion of work from performance by Federal employees to performance by a contractor.]

(b) GUIDELINES ON INSOURCING NEW AND CONTRACTED OUT FUNCTIONS.—

(1) GUIDELINES REQUIRED.—(A) The heads of executive agencies subject to the Federal Activities Inventory Reform Act of 1998 (Public Law 105-270; 31 U.S.C. 501 note) shall devise and implement guidelines and procedures to ensure that consideration is given to using, on a regular basis, Federal employees to perform new functions and functions that are performed by contractors and could be performed by Federal employees.

(B) The guidelines and procedures required under subparagraph (A) may not include any specific limitation or restriction on the number of functions or activities that may be converted to performance by Federal employees.

(2) SPECIAL CONSIDERATION FOR CERTAIN FUNCTIONS.—The guidelines and procedures required under paragraph (1) shall provide for special consideration to be given to using Federal employees to perform any function that—

(A) is performed by a contractor and—

(i) has been performed by Federal employees at any time during the previous 10 years;

(ii) is a function closely associated with the performance of an inherently governmental function;

(iii) has been performed pursuant to a contract awarded on a non-competitive basis; or

(iv) *has been performed poorly, as determined by a contracting officer during the 5-year period preceding the date of such determination, because of excessive costs or inferior quality; or*

(B) *is a new requirement, with particular emphasis given to a new requirement that is similar to a function previously performed by Federal employees or is a function closely associated with the performance of an inherently governmental function.*

(3) **EXCLUSION OF CERTAIN FUNCTIONS FROM COMPETITIONS.**—*The head of an executive agency may not conduct a public-private competition under Office of Management and Budget Circular A-76 or any other provision of law or regulation before—*

(A) *in the case of a new agency function, assigning the performance of the function to Federal employees;*

(B) *in the case of any agency function described in paragraph (2), converting the function to performance by Federal employees; or*

(C) *in the case of an agency function performed by Federal employees, expanding the scope of the function.*

(4) **DEADLINE.**—(A) *The head of each executive agency shall implement the guidelines and procedures required under this subsection by not later than 120 days after the date of the enactment of this subsection.*

(B) *Not later than 120 days after the date of the enactment of this subsection, the Government Accountability Office shall submit a report on the implementation of this subsection to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.*

(5) **DEFINITIONS.**—*In this subsection:*

(A) *The term “inherently governmental functions” has the meaning given such term in subpart 7.5 of part 7 of the Federal Acquisition Regulation.*

(B) *The term “functions closely associated with inherently governmental functions” means the functions described in section 7.503(d) of the Federal Acquisition Regulation.*

(6) **APPLICABILITY.**—*This subsection shall not apply to the Department of Defense.*

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INTERNAL REVENUE CODE OF 1986

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Subtitle F—Procedure and Administration

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CHAPTER 76—JUDICIAL PROCEEDINGS

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Subchapter C—The Tax Court

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PART III—MISCELLANEOUS PROVISIONS

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SEC. 7472. EXPENDITURES.

The Tax Court is authorized to make such expenditures (including expenditures for personal services and rent at the seat of Government and elsewhere, and for law books, books of reference, and periodicals), as may be necessary efficiently to execute the functions vested in the Tax Court. Notwithstanding any other provision of law, the Tax Court is authorized to pay on behalf of its judges, age 65 or over, any increase in the cost of Federal Employees' Group Life Insurance imposed *after April 24, 1999, that is incurred* after the date of the enactment of the Pension Protection Act of 2006, including any expenses generated by such payments, as authorized by the chief judge in a manner consistent with such payments authorized by the Judicial Conference of the United States pursuant to section 604(a)(5) of title 28, United States Code. Except as provided in section 7475, all expenditures of the Tax Court shall be allowed and paid, out of any moneys appropriated for purposes of the Tax Court, upon presentation of itemized vouchers therefor signed by the certifying officer designated by the chief judge.

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SECTION 446B OF THE DISTRICT OF COLUMBIA HOME RULE ACT

ACCEPTANCE OF GRANT AMOUNTS NOT INCLUDED IN ANNUAL BUDGET

SEC. 446B. (a) * * *

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(f) EFFECTIVE DATE.—This section shall apply with respect to **[fiscal years 2006 through 2008]** *fiscal year 2006 and each succeeding fiscal year.*

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DISTRICT OF COLUMBIA OFFICIAL CODE

TITLE 11—ORGANIZATION AND JURISDICTION OF THE COURTS

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CHAPTER 26—REPRESENTATION OF INDIGENTS IN CRIMINAL CASES

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§ 11-2604. Payment for representation

(a) Any attorney appointed pursuant to this chapter shall, at the conclusion of the representation or any segment thereof, be compensated at a fixed rate of ~~【\$65 per hour】~~ *\$90 per hour*. Such attorney shall be reimbursed for expenses reasonably incurred.

[(b) For representation of a defendant before the Superior Court or before the District of Columbia Court of Appeals, as the case may be, the compensation to be paid to an attorney shall not exceed the following maximum amounts:

[(1) \$1900 for misdemeanor cases;

[(2) \$3600 for felony cases; and

[(3) \$1900 for post-trial matters if the underlying case was a misdemeanor or \$3600 for post-trial matters if the underlying case was a felony.]

(b) *The compensation to be paid to an attorney appointed pursuant to this chapter shall not exceed the following maximum amounts:*

(1) For representation of a defendant before the Superior Court of the District of Columbia for misdemeanors or felonies, the maximum amount set forth in section 3006A(d)(2) of title 18, United States Code, for representation of a defendant before the United States magistrate judge or the district court for misdemeanors or felonies (as the case may be).

(2) For representation of a defendant before the District of Columbia Court of Appeals, the maximum amount set forth in section 3006A(d)(2) of title 18, United States Code, for representation of a defendant in an appellate court.

(3) For representation of a defendant in post-trial matters for misdemeanors or felonies, the amount applicable under paragraph (1) for misdemeanors or felonies (as the case may be).

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TITLE 16—PARTICULAR ACTIONS, PROCEEDINGS AND MATTERS

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CHAPTER 23—FAMILY DIVISION PROCEEDINGS

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SUBCHAPTER I—PROCEEDINGS REGARDING DELINQUENCY, NEGLECT, OR NEED OF SUPERVISION

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§ 16-2326.01. Compensation of attorneys in neglect and termination of parental rights proceedings

(a) * * *

(b) Compensation payable pursuant to this section shall be subject to the following limitations:

(1) for all proceedings from initial hearing through disposition, the maximum compensation shall be ~~【\$1,600】~~ *\$1,980*;

(2) for all subsequent proceedings other than termination of parental rights, the maximum compensation shall be ~~【\$1,600】~~ *\$1,980* per year;

(3) for proceedings to terminate parental rights, the maximum compensation shall be ~~【\$2,200】~~ \$2,700; and

(4) for appeal of trial court orders, the maximum compensation shall be ~~【\$1,100】~~ \$1,350 per case.

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RESCISSIONS

Pursuant to the provisions of clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following is submitted regarding the rescissions recommended in the accompanying bill:

There are no rescissions in the bill.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions proposed in the accompanying bill which may be considered, under certain circumstances, to change the application of existing law, either directly or indirectly. The bill provides that appropriations shall remain available for more than one year for a number of programs for which the basic authorizing legislation does not explicitly authorize such extended availability. The bill provides, in some instances, for funding of agencies and activities where legislation has not yet been finalized. In addition, the bill carries language, in some instances, permitting activities not authorized by law, or exempting agencies from certain provisions of law, but which has been carried in appropriations acts for many years.

The bill includes several limitations on official entertainment, reception and representation expenses. Similar provisions have appeared in many previous appropriations Acts. The bill includes a number of limitations on the purchase of automobiles or office furnishings that also have appeared in many previous appropriations Acts. Language is included in several instances permitting certain funds to be credited to the appropriations recommended.

TITLE I—DEPARTMENT OF THE TREASURY

Language has been included for Departmental Offices, “Salaries and Expenses”, that provides funds for operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas; official reception and representation expenses; unforeseen emergencies of a confidential nature; Treasury-wide financial audits and the period of availability and the transfer of these funds; information technology modernization requirements; secure space requirements; hiring of personnel whose work will require completion of a security clearance investigation; critical infrastructure protection and compliance policy programs; modernization of the Office of Debt Management’s information technology; and specifying certain amounts for individual offices of the Departmental Offices and specifying transfer authority among offices.

Language has been included for the Department-wide Systems and Capital Investments Program that provides funds for the de-

velopment and acquisition of automatic data processing equipment, software, and services; repairs to the Treasury Annex Building; provides transfer authority; limits the availability of funds; and restricts the use of funds to support or supplement IRS Operations Support or Business Systems Modernization.

Language has been included for the Office of Inspector General, "Salaries and Expenses", that provides funds to carry out the provisions of the Inspector General Act of 1978, including the hire of vehicles, and specifies amounts for official travel expenses, official reception and representation expenses, and unforeseen emergencies of a confidential nature.

Language has been included for the Treasury Inspector General for Tax Administration, "Salaries and Expenses", that provides funds to carry out the provisions of the Inspector General Act of 1978, the purchase and hire of motor vehicles and services authorized by 5 U.S.C. 3109; and specifies amounts for travel expenses, official reception and representation expenses, and unforeseen emergencies of a confidential nature.

Language has been included for the Financial Crimes Enforcement Network, "Salaries and Expenses", that provides funds for hire of vehicles; the travel and training of non-federal and foreign government personnel attending meetings or training involving domestic or foreign financial law enforcement, intelligence, and regulation; a specific amount for official reception and representation expenses; the purchase of personal services contracts; and assistance to Federal law enforcement agencies with or without reimbursement. Language is also included that limits the availability of certain amounts.

Language has been included for the Financial Management Service, "Salaries and Expenses", that provides a certain amount for official reception and representation expenses and limits the availability for systems modernization funds.

Language has been included for the Alcohol and Tobacco Tax and Trade Bureau, "Salaries and Expenses", that provides funds for the hire of passenger motor vehicles and laboratory assistance to state and local agencies with or without reimbursement. Language is also included that specifies the amounts for official reception and representation expenses and cooperative research and development.

Language has been included for the U.S. Mint, "United States Mint Public Enterprise Fund" that identifies the source of funding for the operations and activities of the U.S. Mint and specifies the level of funding for circulating coinage and protective service capital investments.

Language has been included for the Bureau of the Public Debt, "Administering the Public Debt" that specifies funds for official reception and representation expenses and systems modernization; and provides that appropriations from the General Fund will be reduced as fees are collected, and that a portion of the funds are to be derived from the Oil Spill Liability Trust Fund for administration of the Fund.

Language is included for the Community Development Financial Institutions Fund Program Account that provides for services authorized by 5 U.S.C. 3109 but at certain rates; specific amounts for administrative expenses, the cost of direct loans, and administra-

tive expenses to carry out the direct loan program; the cost of modifying direct loans; and the principal amount of the direct loans.

Language is included under Internal Revenue Service, “Taxpayer Services” that provides funds for pre-filing assistance and education, filing and account services, taxpayer advocacy services, services authorized by 5 U.S.C. 3109; and dedicating funding for the Tax Counseling for the Elderly Program, low-income taxpayer clinic grants, and operating expenses of the Taxpayer Advocate Service.

Language is included for Internal Revenue Service, “Enforcement” that provides funds to determine and collect owed taxes, provide legal and litigation support, conduct criminal investigations, enforce criminal statutes, purchase and hire of vehicles, provide services authorized by 5 U.S.C. 3109; dedicating funding for the Interagency Crime and Drug Enforcement program and associated transfer authority.

Language is included for the Internal Revenue Service, “Operations Support” that provides funds for operating and supporting taxpayer services and tax law enforcement programs; rent; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; hire of passenger motor vehicles; services authorized by 5 U.S.C. 3109; and dedicating funding for information technology support, research, the IRS Oversight Board, and official reception and representation expenses.

Language has been included for Internal Revenue Service, “Business Systems Modernization” that provides for the business systems modernization program, including capital asset acquisition of information technology, including management and related contractual costs and IRS labor costs of said acquisitions, contractual costs associated with operations authorized by 5 U.S.C. 3109, and places certain restrictions on the use of the funds.

Language is included for the Internal Revenue Service, “Health Insurance Tax Credit Administration” to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107–210).

TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT

Language under the Executive Office of the President and Funds Appropriated to the President, “Compensation of the President”, provides that unused amounts of the President’s expense allowance will revert to the Treasury; mandates funds are only available for their stated purpose; and specifies an amount for an expense allowance.

Language under the White House Office, “Salaries and Expenses”, provides funds for services authorized by 5 U.S.C. 3109, subsistence expenses, hire of vehicles, newspapers, periodicals, teletype news service, travel, and official entertainment expenses.

Language under the Executive Residence at the White House, “Operating Expenses”, provides funds for official entertainment expenses of the President, and the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, includ-

ing electric power and fixtures, of the Executive Residence at the White House.

Language under the Executive Residence at the White House, “Reimbursable Expenses”, specifies the authorized use of funds; specifies that reimbursable expenses are the exclusive authority of the Executive Residence to incur obligations and receive offsetting collections; requires the sponsors of political events to make advance payments; requires the national committee of the political party of the President to maintain \$25,000 on deposit; requires the Executive Residence to ensure that amounts owed are billed within 60 days of a reimbursable event and collected within 30 days of the bill notice; authorizes the Executive Residence to charge and assess interest and penalties on late payments; authorizes all reimbursements to be deposited into the Treasury as a miscellaneous receipt; requires a report to the Committee on the reimbursable expenses within 90 days of the end of the fiscal year; requires the Executive Residence to maintain a system for tracking and classifying reimbursable events; and specifies that the Executive Residence is not exempt from the requirements of subchapter I or II of chapter 37 of title 31, United States Code.

Language under White House Repair and Restoration provides funds for the repair, alteration, improvement, required maintenance, safety and health issues, and continued preventative maintenance of the Executive Residence at the White House and provides that funds remain available until expended.

Language under Office of Administration, “Salaries and Expenses”, provides funds for continued modernization of the information technology infrastructure within the Executive Office of the President, to remain available until expended.

Language under Office of Management and Budget, “Salaries and Expenses”, provides funds for expenses, the hire of vehicles, carrying out provisions of chapter 35 of 44 U.S.C.; specifies funds for official representation expenses; prohibits the review of agricultural marketing orders; prohibits the use of funds for the purpose of altering the transcript of testimony except for non-OMB officials; prohibits the use of funds for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers are in compliance with all applicable laws, regulations, and requirements; and specifies the amount of time to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported before the report is considered approved, and specifies notification requirements.

Language under the Office of National Drug Control Policy, “Salaries and Expenses”, provides funds for expenses, research, official reception and representation expenses, participation in joint projects, and allows for the acceptance of gifts. Language is also included providing funds for policy research and evaluation and making these funds available until expended.

Language under the Counterdrug Technology Assessment Center provides funds for counternarcotics research and development, directs funds to supply reduction activities, and provides for the transfer of funds to other Federal departments or agencies.

Language under the Federal Drug Control Programs, “High Intensity Drug Trafficking Areas Program”, provides a certain level of funding for State, local and Federal drug control efforts, and pro-

vides for the transfer of funds to Federal agencies and departments. Language is also included regarding the availability of funds, specifying the amount of funds for auditing and associated activities, directing funding with respect to initial allocation levels unless the Director of the Office of National Drug Control policy submits a request to the Committees on Appropriations, permitting funds obligated prior to fiscal year 2007 for treatment or prevention programs as part of the approved strategy for a designated High Intensity Drug Trafficking Area to be used for other approved activities, requiring ONDCP to submit recommendations for initial allocation and discretionary funding, and requiring that the use of discretionary funds be approved by the Committees on Appropriations.

Language under Other Federal Drug Control Programs provides funds to support a national anti-drug campaign for youth and for other purposes, including a national media campaign, matching grants to drug-free communities (with an amount specified to be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469), training and technical assistance for drug court professionals, the U.S. Anti-Doping Agency, the U.S. membership dues to the World Anti-Doping Agency, the National Alliance for Model State Drug Laws, and evaluation and research related to National Drug Control Program performance measures. Language also limits the availability of funds; requires a certain level of funding for non-advertising services of the media campaign and the continuation of the corporate outreach program; provides for the transfer of some funds to other Federal departments and agencies; and specifies conditions for national media campaign funds.

Language under Presidential Transition Administrative Support provides funds to carry out the Presidential Transition Act of 1963 and similar expenses and authorizes transfer of such funds.

Language under Special Assistance to the President, “Salaries and Expenses”, enables the Vice President to provide assistance to the President, services authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, subsistence, and the hire for vehicles.

Language under Official Residence of the Vice President, “Operating Expenses”, provides funds for operation and maintenance of the official residence of the Vice President, the hire of vehicles, official entertainment expenses and provides for the transfer of funds as necessary.

TITLE III—THE JUDICIARY

Under Supreme Court, “Salaries and expenses” language is included permitting certain funds to remain available until expended and specifying certain amounts for specific purposes.

Under Supreme Court, “Care of the Building and Grounds” language is included permitting funds to remain available until expended.

Under Courts of Appeals, District Courts, and Other Judicial Services, “Salaries and Expenses” language is included specifying certain funds remain available until expended for specific purposes. Language is also included providing funding from the Vaccine Injury Compensation Trust Fund for certain purposes.

Under Defender Services, language is included permitting funds to remain available until expended.

Under Fees of Jurors and Commissioners, language is included permitting funds to remain available until expended and specifying limitations for the compensation of land commissioners.

Under Court Security, language is included permitting certain funds to remain available until expended, which may be transferred to the United States Marshals Service.

Under Administrative Office of the United States Courts, "Salaries and expenses" language is included specifying certain amounts for official reception and representation expenses.

Under Federal Judicial Center, "Salaries and expenses" language is included permitting certain funds to remain available until expended for education and training, and specifying certain amounts for official reception and representation expenses.

Under Judicial Retirement Funds, "Payment to Judiciary Trust Funds" language is included specifying certain amounts for payments to specific trust funds.

Under United States Sentencing Commission, "Salaries and expenses" language is included specifying certain amounts for official reception and representation expenses.

TITLE IV—DISTRICT OF COLUMBIA

Language under "Federal Payment for Resident Tuition Support" provides that the amount appropriated shall remain available until expended; specifies conditions for the use, award, and financial accounting of funds; requires a quarterly financial report; and specifies the amount available for administrative expenses.

Language under "Federal Payment for Emergency Planning and Security Costs in the District of Columbia" provides that the amount appropriated shall remain available until expended and specifies certain amounts for certain purposes.

Language under "Federal Payment to the District of Columbia Courts": (1) provides that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration; (2) specifies certain amounts for specific purposes; (3) allows funds made available for capital improvements to remain available until September 30, 2010; and (4) provides for the reallocation of funds.

Language under "Defender Services in the District of Columbia Courts": (1) provides that the amount appropriated shall remain available until expended; (2) authorizes funds provided in other appropriations to be used for payments under this heading; (3) specifies who shall administer these funds; and (4) provides that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration.

Language under "Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia": (1) speci-

fies certain amounts for specific purposes and programs; (2) provides that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies; (3) authorizes the Director to accept and use gifts to support offender and defendant programs and equipment and vocational training services to educate and train offenders and defendants, and details for recording the acceptance of such gifts; and (4) authorizes the Director to charge fees to cover the costs of training and materials distributed at conferences.

Language under “Federal Payment to District of Columbia Public Defender Service” provides that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies and authorizes the collection of fees for materials provided at conferences.

Language under “Federal Payment to the District of Columbia Water and Sewer Authority” provides that the amount appropriated shall remain available until expended and specified amounts shall be matched by WASA.

Language under “Federal Payment to the Criminal Justice Coordinating Council” provides that the amount appropriated shall remain available until expended to support initiatives related to the coordination of Federal and local criminal justice resources.

Language under “Federal Payment to the Office of the Chief Financial Officer of the District of Columbia” provides that each entity receiving funds submit to the Office of the Chief Financial Officer (CFO) a report, and that the CFO submit a report to the Committees on Appropriations.

Language under “Federal Payment for School Improvement” provides certain amounts for specific purposes, including funds to expand quality public charter schools, public schools and opportunity scholarships in the District of Columbia.

Language under “Federal Payment to Jump Start Public School Reform” provides certain amounts for specific purposes, provides reprogramming authority of up to 10% or \$500,000, and makes the funds subject to apportionment.

Language under “Federal Payment for Consolidated Laboratory Facility” provides amounts for certain purposes and specifies that a matching amount will be provided by the District of Columbia.

Language under “Federal Payment for Central Library and Branch Locations” provides amounts for certain purposes and are available until expended.

Language under “District of Columbia Funds” (1) limits the amount provided in this Act for the District of Columbia; (2) identifies the source of funds, including a rescission of prior year local funds; (3) establishes the District’s intradistrict authority; (4) sets funds subject to the provisions of and allocated and expended as proposed in the fiscal year 2009 District of Columbia Budget and Financial Plan; (5) provides conditions for increasing the amount provided; and (6) directs the Chief Financial Officer to assure the District of Columbia meets all requirements, but prohibits the reprogramming of capital projects.

TITLE V—INDEPENDENT AGENCIES

Language is included for the Consumer Product Safety Commission, “Salaries and Expenses” that provides funds for expenses, the hire of motor vehicles, services as authorized by 5 U.S.C. 3109 (with a limitation on rates for individuals), nominal awards, official reception and representation expenses, and costs associated with the relocation of CPSC’s laboratory and the upgrade of laboratory equipment.

Language is included for the Election Assistance Commission, “Salaries and Expenses” that allows for the transfer of funds to the National Institute of Standards and Technology for election reform activities. Funds are made available for the Help America Vote College Program and a grant program to support mock elections.

Language is included for the Election Assistance Commission, “Election Reform Programs” for requirements payments under part 1 of subtitle D of title II of the Help America Vote Act. Funds are also made available for grants to carry out research on voting technology improvements and for grants relating to pre-election logic and accuracy testing and post-election voting systems verification.

Language is included under the Federal Communications Commission, “Salaries and Expenses”, permitting funds for uniforms and allowances therefor, official reception and representation expenses, purchase and hire of motor vehicles, and special counsel fees. Language provides for the assessment and collection of offsetting collections, authorizes retention of such collections, and provides that they remain available until expended. Language removes the availability for obligation of excess collections. Language waives existing law concerning proceeds from the use of a competitive bidding system. Language is also included regarding the transfer of funds from the Universal Service Fund.

Language is included for the Federal Deposit Insurance Corporation, “Office of Inspector General” that provides for the funds to be derived from the Deposit Insurance Fund, and the FSLIC Resolution Fund, or any successor to these funds.

Language is included for the Federal Election Commission, “Salaries and Expenses” that specifies funds for reception and representation expenses.

Language is included for the Federal Labor Relations Authority, “Salaries and Expenses” that provides funds for services authorized by 5 U.S.C. 3109, the hire of experts and consultants, hire of motor vehicles, and the rental of conference rooms; authorizes travel payments to public members of the Federal Service Impasses Panel; and allows for fees collected to be transferred to and merged with the appropriation.

Language is included for the Federal Trade Commission, “Salaries and Expenses” permitting funds for uniforms and allowances therefor, services authorized by 5 U.S.C. 3109, official reception and representation expenses, hire of motor vehicles, and contract for collection services. Language provides for the crediting and retention of certain fees. Language also prohibits funds from being used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act.

Language is included for the General Services Administration, “Federal Buildings Fund” that allows for revenues and collections

to be deposited in the Fund; specifies the conditions under which funds made available can be used and designates certain projects that can be undertaken; limits the availability of funds; and requires the approval to change the amounts identified. Many technical provisions have been included regarding use of funds in the Federal Buildings Fund that are not specifically authorized by law. Language has been included that limits project funds available for construction and repair and alteration of buildings not authorized by law. A more detailed analysis of the Federal Buildings Funds can be found in the General Services Administration chapter of this report.

Language is included for General Services Administration, "Government-wide Policy" that provides funds for policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services authorized by 5 U.S.C. 3109.

Language is included for General Services Administration, "Operating Expenses" that provides funds for expenses for activities associated with personal and real property; technology management and activities; information access activities; agency-wide policy direction and management; other support services; and official reception and representation expenses.

Language is included for the General Services Administration, "Office of Inspector General" that provides funds for information and detection of fraud; and for awards in recognition of efforts that enhance the office.

Language is included for the General Services Administration, "Allowances and Office Staff for Former Presidents" that allows a portion of these funds to be transferred.

Language is included for the General Services Administration, "Expenses, Presidential Transition" that provides funds limited to certain activities authorized under the Presidential Transition Act of 1963.

Language is included for the General Services Administration, "Federal Citizen Services Fund" that authorizes funds to be deposited in the Fund and limits the availability of funds in the Fund.

Language is included for the Merit Systems Protection Board, "Salaries and Expenses", that provides funds for services authorized by 5 U.S.C. 3109, rental of conference rooms, hire of passenger motor vehicles, direct procurement of survey printing, official reception and representation expenses, and administrative expenses to adjudicate retirement appeals, and provides for the transfer of some funds.

Language is included for the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, "Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund", that specifies the availability of funds, specifies an amount for financial audits, and provides for the transfer of some funds.

Language is included for the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, "Environmental Dispute Resolution Fund" that specifies the availability of funds.

Language is included for National Archives and Records Administration, "Operating Expenses", that provides funds for uniforms or allowances therefor, as authorized by 5 U.S.C. 5901 et seq., including maintenance, repairs, and cleaning, the hire of passenger motor vehicles, activities of the Public Interest Declassification Board, and the review and declassification of documents.

Language is included for National Archives and Records Administration, "Electronic Records Archives" that provides funds for the development of electronic records archives, research and analysis, design, development and program management; and limits the availability of funds.

Language is included for National Archives and Records Administration, "Repairs and Restoration" that provides funds for the repair, alteration, improvement, and provision of adequate storage; and provides that funds remain available until expended.

Language is included for National Archives and Records Administration, "National Historical Publications and Records Commission Grants Program" that provides funds for allocations and grants for historical publications and records; provides for the transfer of funds for operating expenses; and provides that funds remain available until expended.

Language is included under the National Credit Union Administration, "Central Liquidity Facility" that limits gross obligations and administrative expenses.

Language is included under the National Credit Union Administration, "Community Development Credit Union Revolving Loan Fund" that provides funds for technical assistance and limits the availability of funds.

Language is included under Office of Government Ethics, "Salaries and Expenses" that provides funds for services authorized by 5 U.S.C. 3109, rental of conference rooms, hire of passenger motor vehicles, and official reception and representation expenses.

Language is included under Office of Personnel Management, "Salaries and Expenses" that provides funds for services authorized by 5 U.S.C. 3109, medical examinations for veterans, rental of conference rooms, hire of passenger motor vehicles, official reception and representation expenses, advances for reimbursements, payment of per diem and/or subsistence allowances, the Enterprise Human Resources Integration project, the Human Resources Line of Business project, and the transfer of administrative expenses; limits the availability of some funds; provides for the cost of automating the retirement recordkeeping system, directs that provisions shall not affect other authorities; prohibits funds for the Legal Examining Unit; and authorizes the acceptance of donations under certain conditions.

Language is included for Office of Inspector General, "Salaries and Expenses" that provides funds for services authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, rental of conference rooms, and the transfer of administrative expenses.

Language is included for Payment to Civil Service Retirement and Disability Fund that authorizes payments of certain annuities from the Civil Service Retirement and Disability Fund.

Language is included for Office of Special Counsel, "Salaries and Expenses" that provides funds for services authorized by 5 U.S.C.

3109, payment of fees and expenses for witnesses, rental of conference rooms, and the hire of passenger motor vehicles.

Language is included for the Postal Regulatory Commission, “Salaries and Expenses” that provides for transfer from the Postal Service Fund.

Language is included for Securities and Exchange Commission, “Salaries and Expenses” that provides for rental of space, reception and representation expenses, a permanent secretariat for the International Organization of Securities Commissions, and consultations and meetings hosted by the Commission. Language is included that provides for the crediting of offsetting collections and unobligated balances of funds previously appropriated.

Language is included for Selective Service System, “Salaries and Expenses” that provides funds for attendance of meetings, training, uniforms, hire of passenger motor vehicles, services authorized by 5 U.S.C. 3109, and official reception and representation expenses; authorizes certain exemptions under certain conditions; and prohibits funds used in connection with the induction of any person into the Armed Forces of the United States.

Language is included for Small Business Administration, “Salaries and Expenses”, that provides for hire of motor vehicles and official reception and representation expenses. Language is also included to provide authority to charge fees and credit such fees to the account without further appropriation. Language is also included to fund grants for performance with amounts set aside for the Veterans Assistance and Services Program and the Small Business Energy Efficiency. Language is also included for the Loan Modernization and Accounting System.

Language is included for Small Business Administration, “Business Loans Program Account”, limiting commitments for certain guaranteed loan programs and for providing for the cost of direct loans and guaranteed loans. Language is also included requiring SBA to use to reduce fees pursuant to subparagraph (C) of section 7(a)(23) of the Small Business Act and stating that such reduction may be made only with respect to loans guaranteed after the date of enactment of this Act. Language is also included authorizing the transfer of funds for administrative expenses.

Language is included for the Small Business Administration “Disaster loan program account” that provides for the transfer of funds to the “Office of Inspector General” and to “Salaries and Expenses”.

Language is included for the United States Postal Service, “Payment to the Postal Service Fund” that provides funds for revenue foregone; limits the availability of obligation of some funds; stipulates that mail for overseas voting and mail for the blind is free; stipulates that 6-day delivery and rural mail delivery shall continue at not less than the 1983 level; prohibits funds from being used to charge a fee to a child support enforcement agency seeking the address of a postal customer; and prohibits funds from being used to consolidate or close small rural and other small post offices.

Language is included for United States Postal Service, “Office of Inspector General” that provides for transfer from the Postal Service Fund.

Language is included for the United States Tax Court, “Salaries and Expenses” that provides funds for contract reporting and serv-

ices authorized by 5 U.S.C. 3109; and that travel expenses of the judges shall be paid upon written certificate of the judge.

ADMINISTRATIVE AND GENERAL PROVISIONS

Sections 101, 108, 109, 201, 302 and 510 include legislative transfer authorities.

Section 810 may be construed as placing a legislative limitation on the use of funds in the bill.

Sections 102, 103, 104, 105, 107, 110, 112, 202, 301, 303, 304, 502, 503, 504, 505, 506, 511, 602, 603, 604, 605, 606, 607, 608, 609, 610, 612, 617, 622, 623, 701, 702, 703, 704, 705, 706, 707, 711, 713, 716, 721, 726, 727, 728, 733, 737, 740, 741, 742, 743, 747, 748, 801, 802, 803, 804, 805, 806, 809, 810, 813, 814, 815, 816, 817, 818, 819, 820 and 822 establish affirmative directions, confer new authorities, or impose new responsibilities on departments or agencies funded by the bill.

Sections 114, 708, 714, 715, 717, 718, 719, 720, 736, 738, 745 and 746 do not apply solely to the appropriations within this bill.

Sections 729 and 812 propose to state a legislative position.

Sections 306, 611, 615, 616, 624, 710, 712, 722, 723, 724, 725, 730, 731, 732, 744 and 814 waive existing law.

Sections 113, 305, 307, 308, 309, 310, 507, 508, 618, 619, 734, 735, 808 and 821 amend existing law.

COMPARISON WITH THE BUDGET RESOLUTION

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1)(A) of the Congressional Budget Act of 1974 (Public Law 93-344), the following table compares the levels of new budget authority provided in the bill with the appropriate allocation under section 302(b) of the Budget Act.

[In millions of dollars]

	302(b) allocation		This bill	
	Budget authority	Outlays	Budget authority	Outlays
Discretionary	21,900	22,900	22,390	22,794
Mandatory	20,661	20,663	20,661	20,663

Note.— The amounts in this bill are technically in excess of the subcommittee section 302(b) suballocation. However, pursuant to section 301(a)(2) of the congressional budget resolution for fiscal year 2009, increases to the Committee's section 302(a) allocation are authorized for funding in the reported bill for program integrity initiative spending relating to Internal Revenue Service tax compliance. After the bill is reported to the House, the Chairman of the Committee on the Budget will provide an increased section 302(a) allocation consistent with the funding provided in the bill. That new allocation will eliminate the technical difference prior to floor consideration.

FIVE-YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget Act of 1974, the following table contains five-year projections associated with the budget authority provided in the accompanying bill as provided to the Committee by the Congressional Budget Office.

[In millions of dollars]

	Outlays
2009	38,380

[In millions of dollars]

	Outlays
2010	3,264
2011	555
2012	240
2013 and future years	166

FINANCIAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments.

[In millions of dollars]

	Budget Authority	Outlays
Financial assistance to State and Local governments for 2009	697	494

CONGRESSIONAL EARMARKS

The following table is submitted in compliance with clause 9 of Rule XXI, and lists the congressional earmarks (as defined in paragraph (d) of clause 9) contained in the bill or in this report. Neither the bill nor the report contain any limited tax benefits or limited tariff benefits as defined in paragraphs (e) or (f) of clause 9 of Rule XXI.

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Project	Agency	Amount (in dollars)	Requester(s)
Adelante Development Center, Albuquerque, New Mexico	SBA	\$100,000	Pearce, Stevan; Wilson, Heather
Adelante Service Expansion in Sandoval County	SBA	\$125,000	Udall, Tom
Advantage West Economic Development Group, Certified Entrepreneurial Community Program	SBA	\$200,000	Shuler, Heath
African American Chamber of Commerce of Westchester and Rockland Counties, Entrepreneurial Assistance Program	SBA	\$200,000	Engel, Eliot L.
AgriBusiness Development Corporation for the Hudson Valley Agribusiness Viability Program	SBA	\$250,000	Hall, John J.
Alamo Community College for a region energy futures park center	SBA	\$100,000	Smith, Lamar
Alamo WorkSource Center Expansion	SBA	\$150,000	Rodriguez, Ciro D.
Arkansas State University-Newport for the Arkansas Commercial Driver Training Institute	SBA	\$250,000	Berry, Marion
Asian Pacific Islander Small Business Program	SBA	\$250,000	Roybal-Allard, Lucille
Asociacion De Provincias Dominicanas (ASOPRODOM) training programs	SBA	\$50,000	Serrano, José
Baltimore City Public School System for the Allied Health Career Program	SBA	\$500,000	Ruppersberger, C. A. Dutch
BARC/ TEDCO Business Innovation Center	SBA	\$100,000	Hoyer, Steny H.
Baruch College/CUNY, The Field Center for Entrepreneurship	SBA	\$70,000	Maloney, Carolyn B.
Baylor University workforce development and training	SBA	\$200,000	Edwards, Chet
Beaver Street Enterprise Center, Jacksonville, FL	SBA	\$200,000	Brown, Corrine
Becker College Nurse Training Initiative to address health care workforce shortages	SBA	\$168,000	McGovern, James P.
Bedford-Stuyvesant YMCA Teen Entrepreneurship Program	SBA	\$100,000	Towns, Edolphus

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Project	Agency	Amount (in dollars)	Requester(s)
Berkshire Enterprises Entrepreneurial Training	SBA	\$80,000	Oliver, John W.
Bethany House, Employment training program for homeless women and for employers	SBA	\$127,700	McCarthy, Carolyn
Bevill State Community College for a business incubator	SBA	\$300,000	Aderholt, Robert B.
Blessings Ministries Community Development Corp	SBA	\$50,000	Bishop, Jr., Sanford D.
Boise State University for a research and economic development and entrepreneurial initiative	SBA	\$200,000	Simpson, Michael K.
Bronx Council on the Arts for marketing of local business arts initiatives	SBA	\$50,000	Serrano, José
Bronx Shepherds business training programs	SBA	\$75,000	Serrano, José
Bucks County Manufacturing Career Development and Green Job Training Program	SBA	\$200,000	Murphy, Patrick J.
Buffalo Niagara Medical Campus Business Development	SBA	\$200,000	Higgins, Brian
Business Resource Center and Business Development Training	SBA	\$200,000	Hastings, Alcee L.; Wasserman Schultz, Debbie
California State University, Dominguez Hills, Online Certificate and Applied Studies Program Targeted to Veterans, Service Disabled Veterans, and Disabled Students	SBA	\$200,000	Richardson, Laura
Capital City Development Corporation for a business development center	SBA	\$200,000	Simpson, Michael K.
Carnegie Mellon University for the Buffalo Township Business Accelerator Program	SBA	\$200,000	Altmire, Jason
Cayuga County Industrial Development Authority for a Manufacturing and Small Business Development Project	SBA	\$200,000	Arcuri, Michael A.
Center for Economic Growth, Watervliet Innovation Center	SBA	\$200,000	Gillibrand, Kirsten E.; McNulty, Michael R.
Central Florida Community College for the Heart of Florida Regional Economic Development Program	SBA	\$100,000	Stearns, Cliff
Charlotte Mecklenburg Housing Partnership to increase opportunities for small businesses	SBA	\$300,000	Hayes, Robin

Chicanos Por La Causa for a business incubator	SBA	\$250,000	Pastor, Ed
City of Alcoa, Tennessee, for the Pellissippi Research Center	SBA	\$100,000	Duncan, John J.
City of Baton Rouge, Louisiana, for small business investment initiative technical assistance	SBA	\$275,000	Alexander, Rodney; Cazayoux, Donald
City of Berkeley East Bay Green Jobs Project	SBA	\$150,000	Lee, Barbara
City of Hagerstown, Maryland for a minority and women owned business program	SBA	\$100,000	Bartlett, Roscoe G.
City of Inglewood, CA, Grow Inglewood Small Business Development Program for technical assistance to small businesses	SBA	\$100,000	Waters, Maxine
City of San Jose, CA for the Silicon Valley Small Business Assistance Portal	SBA	\$250,000	Honda, Michael M.
City of South Pasadena, CA, for downtown business district revitalization	SBA	\$300,000	Schiff, Adam B.
City of Union, South Carolina, for a regional robotics training center	SBA	\$100,000	Inglis, Bob
Cleary University for a micro business incubator	SBA	\$100,000	Rogers, Mike (MI)
Clemson University for an advanced materials innovation center	SBA	\$100,000	Barrett, J. Gresham
Cochise County Community College Entrepreneurial Education and Development	SBA	\$50,000	Giffords, Gabrielle
Commission on the Future of the Latino Community in New York City to establish a small business and economic development commission	SBA	\$125,000	Velázquez, Nydia M.
Consortium for Worker Education Financial Education and Attainment Training	SBA	\$200,000	Nadler, Jerrold; Crowley, Joseph
County of Essex, NJ, for Workshops on How to Succeed in Business in the Public Sector for Women and Minority Small Business Enterprises	SBA	\$250,000	Rothman, Steven R.; Pascrell Jr., Bill; Sires, Albio
Cypress Hills Local Development Corporation, Cypress Hills Economic Revitalization Initiative	SBA	\$125,000	Velázquez, Nydia M.
Delaware County Community College for a small business solutions center	SBA	\$300,000	Gerlach, Jim; Sestak, Joe
Delta Foundation, Greenville, MS, for a Mississippi Delta business growth development program	SBA	\$250,000	Thompson, Bennie G.
Detroit Creative Business Accelerator	SBA	\$75,000	Kilpatrick, Carolyn C.; Conyers, John, Jr.

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Project	Agency	Amount (in dollars)	Requester(s)
Detroit Economic Growth Corporation for Business retention and attraction	SBA	\$350,000	Kilpatrick, Carolyn C.
East Providence Special Waterfront Development District Commission, Green Jobs Initiative, RI	SBA	\$65,000	Kennedy, Patrick J.
Eastern CT Chamber of Commerce for Small Business Incubation	SBA	\$178,000	Courtney, Joe
Economic Growth Connection of Westmoreland County, PA Procurement Assistance Program	SBA	\$150,000	Murtha, John P.
Elizabeth City Aviation Research and Development Commerce Park, Phase II	SBA	\$200,000	Butterfield, G. K.
EngenuitySC for the Commercialization and Entrepreneurial Training Project	SBA	\$300,000	Clyburn, James E.
Episcopal Housing Alliance Small Business Employment & Education Center	SBA	\$115,000	Becerra, Xavier
Esperanza Community Housing Corporation Mercado La Paloma	SBA	\$85,000	Becerra, Xavier
Experience Works Small Business Assistance Program	SBA	\$250,000	Skelton, Ike
Fairfield Incubator for Entrepreneurs Commercial Kitchen Incubator	SBA	\$200,000	Davis, Artur
Fairplex Trade and Conference Center	SBA	\$300,000	Dreier, David; Napolitano, Grace F.
First Community Development Corporation, Business Skills Development Program	SBA	\$100,000	Waters, Maxine
Florida Atlantic University for a Small Business Incubator Center	SBA	\$125,000	Wasserman Schultz, Debbie; Klein, Ron; Wexler, Robert
Foundation for Appalachian Ohio, Rural Economic Development Program	SBA	\$200,000	Space, Zachary T.
Future of the Piedmont Foundation	SBA	\$200,000	Goode, Virgil H.
Gateway to Entrepreneurial Tomorrows, Inc., for the Low Income Entrepreneurial Development Program	SBA	\$100,000	Hinchey, Maurice D.
Greater Des Moines Partnership for the Central Iowa Business Innovation Zone	SBA	\$150,000	Boswell, Leonard L.

Greater Gardner CDC Training Collaborative	SBA	\$220,000	Oliver, John W.
Greater North Louisiana Community Development Center	SBA	\$300,000	Alexander, Rodney
Greater Rockford Airport Authority for Manufacturing Research and Development/Education Center	SBA	\$300,000	Manzullo, Donald
Greater Toledo Arts Commission Creative Industry Development	SBA	\$125,000	Kaptur, Marcy
H.O.G.A.R., Inc. for an economic and community development program for the elderly and special needs persons	SBA	\$100,000	Serrano, José
Heart of Texas Workforce Development Center Financial Literacy Program	SBA	\$100,000	Edwards, Chet
Henry County, Virginia, for small business expansion and development	SBA	\$800,000	Goode, Virgil H.
Heritage Foundation Inc for a small business development assistance program	SBA	\$75,000	Bishop, Jr., Sanford D.
Hudson Alpha Institute for Biotechnology	SBA	\$250,000	Cramer, Jr., Robert E. (Bud)
Hunter College, Project for Return and Opportunity in Veterans Education (PROVE)	SBA	\$70,000	Maloney, Carolyn B.
Illinois Institute of Technology for the Illinois Manufacturing Innovation Coalition	SBA	\$200,000	Bean, Melissa L.
Illinois State University for an expanding exports program	SBA	\$100,000	Weller, Jerry
Indiana State University Innovation Alliance Business Incubator & Accelerator	SBA	\$200,000	Ellsworth, Brad
Indiana University for the Indiana Innovative Incubator	SBA	\$200,000	Hill, Baron P.
International Services Council of Alabama	SBA	\$100,000	Aderholt, Robert B.; Cramer, Robert E. (Bud) Jr.
Iowa Valley Community College for an education and training center	SBA	\$500,000	Latham, Tom
Ivy Tech Community College of Indiana, Northwest Region - Gary Campus - for a Center on Logistics, Distribution and Transportation	SBA	\$450,000	Visclosky, Peter J.
Jacksonville State University in Alabama for remote campus and distance learning programs for small business	SBA	\$200,000	Aderholt, Robert B.; Rogers, Mike (AL)
Jamaica Chamber of Commerce, Jamaica, NY, Jamaica Export Center	SBA	\$200,000	Meeks, Gregory W.
Job Training and Small Business Ownership Program	SBA	\$200,000	Carson, Andre

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Project	Agency	Amount (in dollars)	Requester(s)
Johnstown Area Regional Industries (JARI) Incubator and Workforce Development	SBA	\$150,000	Murtha, John P.
Kemper County, Mississippi, for an industrial park spec building	SBA	\$100,000	Pickering, Charles W. "Chip"
Kingsborough Community College for the South Brooklyn Maritime Center for Vocational Training	SBA	\$100,000	Weiner, Anthony D.
LaFuerza Unida Community Development Corporation, Technical Assistance	SBA	\$72,300	McCarthy, Carolyn
Laredo Community College Import/Export Program	SBA	\$200,000	Cuellar, Henry
Lock Haven University Small Business Development Center	SBA	\$50,000	Peterson John E.
Long Island Economic and Social Policy Institute (a division of Dowling College) for a Long Island Small Business Development Center	SBA	\$200,000	Israel, Steve
Louisville Central Community Centers, Expansion of Small Business Incubator	SBA	\$200,000	Yarmuth, John A.
Lower Chattahoochee Regional Development Center for the Southwest Georgia Rural Small Business Development Initiative	SBA	\$75,000	Bishop, Jr., Sanford D.
Macomb County, Michigan, for a business incubator	SBA	\$100,000	Miller, Candice; Levin, Sander
Manufacturers Association of Central New York	SBA	\$200,000	Walsh, Jim
MedTech Association, Inc. for a bioscience strategic development initiative in Upstate New York	SBA	\$250,000	Walsh, Jim
Metropolitan Council on Jewish Poverty Career Services Programs	SBA	\$200,000	Clarke, Yvette D.; Towns, Edolphus; Weiner, Anthony D.
Miami-Dade Chamber of Commerce, Technical Assistance and Economic Development Center	SBA	\$200,000	Meek, Kendrick B.
Middle Country Library Foundation, Miller Business Resource Center	SBA	\$200,000	Bishop, Timothy H.
Montana State University's manufacturing extension center	SBA	\$100,000	Rehberg, Dennis

Montana World Trade Center	SBA	\$300,000	Rehberg, Dennis
Montgomery College for the Germantown Biotechnology Project	SBA	\$168,000	Van Hollen, Chris
Mount Hope Housing Company training programs	SBA	\$75,000	Serrano, José
Mountain Association for Community Economic Development for the Energy Efficient Enterprises Initiative for Small Businesses	SBA	\$250,000	Chandler, Ben
National Association of Development Organizations for a business development and entrepreneurial enhancement initiative	SBA	\$150,000	Walsh, Jim
National Latino Data Center to provide business information to local businesses, researchers, and communities	SBA	\$50,000	Serrano, José
Navajo Nation Department of Information Technology for Connect Navajo	SBA	\$125,000	Udall, Tom
Neil D. Levin Graduate Institute, The Center for Competitive Response to Globalization	SBA	\$60,000	Maloney, Carolyn B.
New Castle County Chamber of Commerce for an emerging enterprise center	SBA	\$100,000	Castle, Michael N.
New Hampshire Community Loan Fund for operating support for the Vested for Growth Program	SBA	\$200,000	Hodes, Paul W.
New York Agency for Community Affairs for tax related technical assistance, training, and outreach for small businesses	SBA	\$200,000	Crowley, Joseph
North Brownsville Industrial Park, TX	SBA	\$200,000	Ortiz, Solomon P.
North Carolina Biotechnology Center for the Entrepreneurship/Research and Development Training Initiative	SBA	\$300,000	Price, David E.; Miller, Brad
North Iowa Area Community College for regional economic development	SBA	\$100,000	Latham, Tom
Northampton Community College for an electrotechnology applications center	SBA	\$300,000	Dent, Charles W.; Kanjorski, Paul E.
Northeast Entrepreneur Fund, Greenstone Group	SBA	\$250,000	Oberstar, James L.
Northeast Louisiana Business and Community Development Center	SBA	\$425,000	Alexander, Rodney
Northwestern University, Kellogg School of Management Entrepreneurship Center nextONE program	SBA	\$200,000	Davis, Danny K.
Oakland African American Chamber of Commerce Foundation for the Economic Vitality of Minority Business Program	SBA	\$100,000	Lee, Barbara

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Project	Agency	Amount (in dollars)	Requester(s)
Oakland Campus of Wayne State University for an entrepreneurship center	SBA	\$400,000	Knollenberg, Joseph
Ohio Christian University Center for Logistics Management	SBA	\$700,000	Hobson, David
Oil Region Alliance	SBA	\$200,000	Peterson, John E.
Operation New Hope in Florida	SBA	\$500,000	Crenshaw, Ander
Pacific Asian Consortium in Employment, San Gabriel Valley Business Development and Revolving Micro Loan Fund for counseling and advising services	SBA	\$200,000	Solis, Hilda L.
Pecos Economic Development Corporation expansion	SBA	\$100,000	Rodriguez, Ciro D.
People for People Job Creation Initiative for Low Income Communities	SBA	\$250,000	Brady, Robert A.
Pima County Community College Entrepreneurial Education and Development	SBA	\$150,000	Giffords, Gabrielle
Pittsburgh Life Sciences Greenhouse for the Tech Belt Biosciences Initiative, Concept to Commercialization Model	SBA	\$168,000	Doyle, Michael F.; Altmire, Jason
Presbyterian Senior Services for economic and community development programs for the elderly	SBA	\$50,000	Serrano, José
Research Foundation of SUNY, Downstate Advanced Biotechnology Incubator	SBA	\$100,000	Clarke, Yvette D.
Rhode Island Manufacturers Institute Competitiveness study	SBA	\$65,000	Kennedy, Patrick J.; Langevin, James R.
Richard Stockton College for an aviation research and technology park	SBA	\$100,000	LoBiondo, Frank
Rio Hondo College, CA Environmental Education for Small Businesses	SBA	\$200,000	Sánchez, Linda T.
Saint Mary's College Program for Women's Entrepreneurship	SBA	\$250,000	Donnelly, Joe
Schuylkill Economic Development Corporation for the Highridge Business Park Phase II	SBA	\$168,000	Holden, Tim
Seguin Works, for SEGUINWORKS Business Renovation Project	SBA	\$168,000	Lipinski, Daniel

SEKTD for economic and small business development in Southern and Eastern Kentucky	SBA	\$700,000	Rogers, Harold
Shawnee State University for an immersive technology and arts center	SBA	\$300,000	Schmidt, Jean
Small Business Program, Florida Department of Citrus	SBA	\$300,000	Boyd, Allen; Putnam, Adam H.
Southeast Missouri State University for entrepreneurship training and workforce development	SBA	\$500,000	Emerson, Jo Ann
Southern University at Shreveport for a business development center	SBA	\$100,000	McCrery, Jim
Stark State College of Technology	SBA	\$1,451,000	Regula, Ralph
Syracuse University for an entrepreneurial accelerator program	SBA	\$100,000	Walsh, Jim
Technology Venture Center at Montana State University	SBA	\$100,000	Rehberg, Dennis
The Bi-National Sustainability Laboratory, El Paso Border Technology Commercialization Facility (BTCF)	SBA	\$200,000	Reyes, Silvestre
The Enterprise Center in Tennessee	SBA	\$700,000	Wamp, Zach
The Solar Energy Consortium to promote entrepreneurship in the solar energy industry	SBA	\$400,000	Hinchey, Maurice D.
Thomas More College for training programs in health care management	SBA	\$100,000	Davis, Geoff
Thorpe Family Residence for economic and community development family residential services program	SBA	\$50,000	Serrano, José
Town of Middletown, RI Aquidneck Island Corporate Park	SBA	\$120,000	Kennedy, Patrick J.
Uhlich Children's Advantage Network Alumni Services Department for job training, placement and retention services to low/moderate-income young adults	SBA	\$300,000	Emanuel, Rahm; Davis, Danny K.
United States Hispanic Chamber of Commerce, Small Business Procurement Development Initiative	SBA	\$200,000	Baca, Joe
United Way for Southeastern Michigan Ex-Offender Entrepreneurship Program	SBA	\$250,000	Knollenberg, Joe; Conyers, Jr., John; Dingell, John D.
University of Alabama for entrepreneurial resource centers	SBA	\$100,000	Bachus, Spencer
University of Arkansas Technology Development Foundation for a research and technology park	SBA	\$100,000	Boozman, John
University of Connecticut for the Avery Point Technology Center	SBA	\$300,000	DeLauro, Rosa L.; Courtney, Joe

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Project	Agency	Amount (in dollars)	Requester(s)
University of Connecticut Health Center, Farmington Technology Incubation Center	SBA	\$200,000	Murphy, Christopher S.
University of Georgia Athens for Public Service and Outreach	SBA	\$50,000	Bishop, Jr., Sanford D.
University of Kansas for a center for trade and agribusiness	SBA	\$100,000	Moran, Jerry
University of Nebraska, Kearney for the Central Nebraska World Trade Center	SBA	\$100,000	Smith, Adrian
University of Oregon for an integrative science complex	SBA	\$100,000	DeFazio, Peter; Hooley, Darlene; Walden, Greg; Wu, David
University of Texas at San Antonio Mexico Center for economic development activities	SBA	\$100,000	Gonzalez, Charles A.
University of Texas at San Antonio, Accelerating Technology Venture Entrepreneurship for Women and Minorities	SBA	\$100,000	Gonzalez, Charles A.
University of the Pacific Business Forecasting Center	SBA	\$200,000	McNerney, Jerry
University of Toledo Renewable Energy Business Incubator Communication Infrastructure	SBA	\$125,000	Kaptur, Marcy
University of West Florida for a business continuity and risk management center	SBA	\$100,000	Miller, Jeff
Urban League of Rochester for minority and women business development services	SBA	\$100,000	Slaughter, Louise
Valley Economic Development Center for a Women's Business Center	SBA	\$100,000	Schiff, Adam B.
Verdugo Workforce Investment Board for assistance to Minority-Owned Businesses	SBA	\$100,000	Schiff, Adam B.
Village of Olympia Fields for a South Suburban Coalition Economic Development Program	SBA	\$125,000	Jackson, Jr., Jesse L.
Wayne County, Michigan Aerotropolis Telecommunications Portal and Logistics Center	SBA	\$250,000	Dingell, John D.
Wayne State University for the Law School's Small Business Clinic	SBA	\$75,000	Kilpatrick, Carolyn C.
Western Nevada Development District for small business job creation	SBA	\$300,000	Heller, Dean

William Factory Small Business Incubator	SBA	\$300,000	Dicks, Norman D.
Women's Enterprise Development Center Small Business Training	SBA	\$65,000	Lowey, Nita M.
World Trade Center Utah	SBA	\$100,000	Bishop, Rob
Youngstown Warren Regional Chamber for the Salute to Success Program	SBA	\$250,000	Ryan, Tim; Wilson, Charles A.
YWCA Metropolitan Chicago for an Economic Empowerment Program	SBA	\$125,000	Jackson, Jr., Jesse L.
I Have A Dream Foundation of Washington DC, Brent Dream Class of 2006	DC	\$84,000	Norton, Eleanor Holmes
Boys and Girls Club of Greater Washington for Project Learn	DC	\$100,000	Moran, James P.; Davis Tom
Capital Area Food Bank Facility Construction	DC	\$200,000	Hoyer, Steny H.; Moran, James P.; Norton, Eleanor Holmes
DC Campaign for Literacy Education (CYCLE)	DC	\$84,000	Norton, Eleanor Holmes
Educational Advancement Alliance for the DC Student Support Services Project	DC	\$250,000	Fattah, Chaka
Everybody Wins!	DC	\$400,000	LaHood, Ray
Excel- Automotive Workforce Development Training Program	DC	\$300,000	Knollenberg, Joe; Hoyer, Steny H.
Georgetown Metro Connection	DC	\$100,000	Moran, James P.
National Children's Alliance	DC	\$250,000	Cramer, Jr., Robert E. (Bud)
Safe Kids Worldwide, Inc., Child Safety Initiative	DC	\$375,000	Wasserman Schultz, Debbie
The Perry School for an Economic Empowerment Program	DC	\$100,000	Moran, James P.
Denver Federal Center Remediation	GSA	\$10,472,000	The President
Dirksen Courthouse, Illinois	GSA	\$152,825,000	The President
Eisenhower Executive Office Building CBR, Washington DC	GSA	\$14,700,000	The President
Eisenhower Executive Office Building Phase III, Washington DC	GSA	\$51,075,000	The President

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Project	Agency	Amount (in dollars)	Requester(s)
FDA Consolidation, Maryland	GSA	\$78,532,000	The President; Hoyer, Steny H.
Portal Land Port of Entry, North Dakota	GSA	\$15,204,000	The President
San Diego Courthouse	GSA	\$110,362,000	The President; Davis, Susan; Filner, Bob; Hunter, Duncan; Issa, Darrell
San Ysidro Land Port of Entry, California	GSA	\$58,910,000	The President; Filner, Bob
St. Elizabeths DHS Consolidation, Washington DC	GSA	\$165,102,000	The President
St. Elizabeths West Campus Infrastructure	GSA	\$8,249,000	The President
St. Elizabeths West Campus Site Acquisition	GSA	\$7,000,000	The President
US Post Office and Courthouse, North Carolina	GSA	\$10,640,000	The President
West Wing Infrastructure Systems Replacement	GSA	\$76,487,000	The President
FDR Presidential Library Renovation	NARA	\$17,500,000	Gillibrand, Kirsten E.
National Alliance for Model State Drug Laws	ONDCP	\$1,250,000	Rogers, Harold

ROLL CALL VOTES TAKEN IN COMMITTEE

As required by clause 3(b) of rule XIII, following are the results of the roll call votes taken on amendments and/or the motion to report during committee consideration of the bill.

ROLL CALL NO. 1

Date: June 25, 2008

Measure: Financial Services and General Government
Appropriations Act, 2009

Amendment by: Mr. Wolf

Description: To enact into law H.R. 3654, the Securing America's Future Economy Commission Act, and to transfer \$2 million to the Commission established by that Act.

Result: Defeated, 31 YEAS to 32 NAYS.

Members Voting YEA

Mr. Aderholt
Mr. Alexander
Mr. Bonner
Mr. Boyd
Mr. Calvert
Mr. Carter
Mr. Chandler
Mr. Crenshaw
Mr. Culberson
Mrs. Emerson
Mr. Frelinghuysen
Mr. Goode
Ms. Granger
Mr. Hobson
Mr. Kingston
Mr. Kirk
Mr. Knollenberg
Mr. LaHood
Mr. Latham
Mr. Lewis
Mr. Peterson
Mr. Regula
Mr. Rehberg
Mr. Rogers
Mr. Simpson
Mr. Tiahrt
Mr. Walsh
Mr. Wamp
Dr. Weldon
Mr. Wolf
Mr. Young

Members Voting NAY

Mr. Berry
Mr. Bishop
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Israel
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Mollohan
Mr. Murtha
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rodriguez
Mr. Rothman
Ms. Roybal-Allard
Mr. Ruppertsberger
Mr. Ryan
Mr. Schiff
Mr. Serrano
Mr. Udall
Mr. Visclosky
Ms. Wasserman Schultz

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL)
AUTHORITY

The following table provides a detailed summary, for each Department and agency, comparing the amounts recommended in the bill with fiscal year 2008 enacted amounts and budget estimates presented for fiscal year 2009:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

TITLE I - DEPARTMENT OF THE TREASURY

Departmental Offices

Salaries and expenses.....	248,360	273,895	275,395	+27,035	+1,500
Executive direction.....	(10,840)	(21,592)	(21,592)	(+10,752)	---
General Counsel.....	(9,909)	---	---	(-9,909)	---
Economic policies and programs.....	(44,242)	(45,853)	(45,853)	(+1,611)	---
Financial policies and programs.....	(29,464)	(34,735)	(35,435)	(+5,971)	(+700)
Terrorism and Financial Intelligence.....	(56,775)	(61,712)	(62,012)	(+5,237)	(+300)
Treasury-wide management.....	(18,505)	(19,009)	(19,009)	(+504)	---
Administration.....	(78,625)	(90,994)	(91,494)	(+12,869)	(+500)
non-print admin subtotal.....	248,360	273,895	275,395	+27,035	+1,500
Department-wide systems and capital investments programs.....	18,710	26,975	26,975	+8,265	---
Office of Inspector General.....	18,450	19,356	19,356	+906	---
Treasury Inspector General for Tax Administration.....	140,533	145,736	145,736	+5,203	---
Air transportation stabilization program account.....	-3,600	---	---	+3,600	---
Financial Crimes Enforcement Network.....	85,844	91,335	91,335	+5,491	---
Subtotal, Departmental Offices.....	508,297	557,297	558,797	+50,500	+1,500
Financial Management Service.....	234,423	239,344	239,344	+4,921	---
Emergency appropriations (P.L. 110-185).....	64,175	---	---	-64,175	---
Alcohol and Tobacco Tax and Trade Bureau:					
Salaries and expenses.....	93,515	96,900	96,900	+3,385	---
Bureau of the Public Debt.....	172,871	177,054	177,054	+4,183	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Community development financial institutions fund					
program account.....	94,000	28,620	105,000	+11,000	+76,380
Payment of government losses in shipment.....	1,000	2,000	2,000	+1,000	---
Total, Department of the Treasury, non-IRS.....	1,168,281	1,101,215	1,179,095	+10,814	+77,880
Internal Revenue Service					
Taxpayer services.....	2,150,000	2,150,000	2,210,000	+60,000	+60,000
Emergency appropriations (P.L. 110-185).....	50,720	---	---	-50,720	---
Enforcement.....	4,780,000	5,117,267	5,117,267	+337,267	---
Operations support.....	3,680,059	3,856,172	3,833,127	+133,068	-23,045
Emergency appropriations (P.L. 110-185).....	151,415	---	---	-151,415	---
Business systems modernization.....	267,090	222,664	222,664	-44,426	---
Health Insurance Tax Credit Administration.....	15,235	15,406	15,406	+171	---
Total, Internal Revenue Service.....	11,094,519	11,361,509	11,398,464	+303,945	+36,955
Total, title I, Department of the Treasury.....	12,262,800	12,462,724	12,577,559	+314,759	+114,835
Appropriations.....	(11,996,490)	(12,462,724)	(12,577,559)	(+581,069)	(+114,835)
(Mandatory).....	(1,000)	(2,000)	(2,000)	(+1,000)	---
(Discretionary).....	(11,995,490)	(12,460,724)	(12,575,559)	(+580,069)	(+114,835)
Emergency appropriations.....	(266,310)	---	---	(-266,310)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
The White House					
Salaries and expenses.....	---	190,078	---	---	-190,078
Compensation of the President	---	450	---	---	-450
Total, Salaries and expenses.....	---	190,528	---	---	-190,528
Compensation of the President and the White House Office:					
Compensation of the President.....	450	---	450	---	+450
Salaries and expenses.....	51,656	---	53,899	+2,243	+53,899
Executive Residence at the White House:					
Operating expenses.....	12,814	---	13,363	+549	+13,363
White House repair and restoration.....	1,600	---	1,600	---	+1,600
Council of Economic Advisers.....	4,118	---	4,118	---	+4,118
Office of Policy Development.....	3,482	---	3,550	+68	+3,550
National Security Council.....	8,640	---	9,029	+389	+9,029
Office of Administration.....	91,745	---	95,633	+3,888	+95,633
Total, The White House.....	174,505	190,528	181,642	+7,137	-8,886
Office of Management and Budget.....	78,000	72,800	79,972	+1,972	+7,172

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of National Drug Control Policy					
Salaries and expenses.....	26,402	23,697	26,011	-391	+2,314
Counterdrug Technology Assessment Center.....	1,000	5,000	1,000	---	-4,000
High intensity drug trafficking areas program.....	230,000	200,000	230,000	---	+30,000
Other Federal drug control programs.....	164,300	189,685	165,000	+700	-24,685
Total, Office of National Drug Control Policy.....	421,702	418,382	422,011	+309	+3,629
Unanticipated needs.....					
Presidential transition administrative support.....	1,000	1,000	1,000	---	---
	---	8,000	8,000	+8,000	---
Special Assistance to the President and Official Residence of the Vice President:					
Salaries and expenses.....	4,432	4,496	4,496	+64	---
Operating expenses.....	320	323	323	+3	---
Total, title II, Executive Office of the President and Funds Appropriated to the President..	679,959	695,529	697,444	+17,485	+1,915
Appropriations.....	(679,959)	(695,529)	(697,444)	(+17,485)	(+1,915)
(Mandatory).....	(450)	(450)	(450)	---	---
(Discretionary).....	(679,509)	(695,079)	(696,994)	(+17,485)	(+1,915)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

TITLE III - THE JUDICIARY

Supreme Court of the United States

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Salaries and expenses:					
Salaries of justices.....	2,149	2,119	2,119	-30	---
Other salaries and expenses.....	64,377	67,658	67,658	+3,281	---
Subtotal.....	66,526	69,777	69,777	+3,251	---
Care of the building and grounds.....	12,201	18,447	18,447	+6,246	---
Total, Supreme Court of the United States.....	78,727	88,224	88,224	+9,497	---

United States Court of Appeals for the Federal circuit

Salaries and expenses:					
Salaries of judges.....	2,431	2,356	2,356	-75	---
Other salaries and expenses.....	24,641	30,001	28,028	+3,387	-1,973
Total, US Court of Appeals for the Fed Circuit..	27,072	32,357	30,384	+3,312	-1,973

United States Court of International Trade

Salaries and expenses:					
Salaries of judges.....	1,765	1,696	1,696	-69	---
Other salaries and expenses.....	14,867	17,926	17,894	+3,027	-32
Total, US Court of International Trade.....	16,632	19,622	19,590	+2,958	-32

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges.....	332,434	323,911	323,911	-8,523	---
Judges COLA.....	5,000	6,000	---	-5,000	-6,000
Other salaries and expenses.....	4,267,328	4,633,180	4,506,149	+238,821	-127,031
Other salaries and expenses (emergency).....	14,500	---	---	-14,500	---
Subtotal, Salaries and expenses.....	4,619,262	4,963,091	4,830,060	+210,798	-133,031
Vaccine Injury Compensation Trust Fund.....	4,099	4,253	4,253	+154	---
Defender services.....	835,601	911,408	862,977	+27,376	-48,431
Defender services (emergency).....	10,500	---	---	-10,500	---
Fees of jurors and commissioners.....	63,081	62,206	62,206	-875	---
Court security.....	410,000	439,915	430,004	+20,004	-9,911
Total, Courts of Appeals, District Courts, and Other Judicial Services.....	5,942,543	6,380,873	6,189,500	+246,957	-191,373
Administrative Office of the United States Courts					
Salaries and expenses.....	76,036	81,959	79,049	+3,013	-2,910
Federal Judicial Center					
Salaries and expenses.....	24,187	25,759	25,725	+1,538	-34

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Judicial Retirement Funds					
Payment to judiciary trust funds.....	65,400	76,140	76,140	+10,740	---
United States Sentencing Commission					
Salaries and expenses.....	15,477	16,257	16,225	+748	-32
Total, title III, the Judiciary.....	6,246,074	6,721,191	6,524,837	+278,763	-196,354
Appropriations.....	(6,221,074)	(6,721,191)	(6,524,837)	(+303,763)	(-196,354)
(Mandatory).....	(404,179)	(406,222)	(406,222)	(+2,043)	---
(Discretionary).....	(5,816,895)	(6,314,969)	(6,118,615)	(+301,720)	(-196,354)
Emergency appropriations.....	(25,000)	---	---	(-25,000)	---
TITLE IV - DISTRICT OF COLUMBIA					
FEDERAL FUNDS					
Federal payment for Resident Tuition Support.....	33,000	35,100	35,100	+2,100	---
Federal payment for Emergency Planning and Security Costs in the District of Columbia.....	3,352	15,000	15,352	+12,000	+352
Federal payment to the District of Columbia Courts.....	223,920	223,920	248,409	+24,489	+24,489
Defender Services in District of Columbia Courts.....	47,975	47,975	52,475	+4,500	+4,500
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia.....	190,343	202,490	202,490	+12,147	---
Federal payment to the District of Columbia Public Defender Service.....	32,710	35,659	35,659	+2,949	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal payment to the District of Columbia Water and Sewer Authority.....	8,000	14,000	14,000	+6,000	---
Federal payment to the Criminal Justice Coordinating Council.....	1,300	1,774	1,774	+474	---
Federal payment to the Office of the Chief Financial Officer of the District of Columbia.....	5,453	---	4,486	-967	+4,486
Federal payment for School Improvement.....	40,800	54,000	54,000	+13,200	---
Federal payment to jump start public school reform.....	---	20,000	20,000	+20,000	---
Federal payment for consolidated laboratory facility.....	5,000	5,000	21,000	+16,000	+16,000
Federal payment for Central Library/branch locations.....	9,000	7,000	7,000	-2,000	---
Federal payment to reimburse the FBI.....	4,000	5,000	---	-4,000	-5,000
Federal payment to the Executive Office of the Mayor.....	5,000	---	---	-5,000	---
Total, Title IV, District of Columbia.....	609,853	666,918	711,745	+101,892	+44,827
 TITLE V - OTHER INDEPENDENT AGENCIES					
Consumer Product Safety Commission.....	80,000	80,000	100,000	+20,000	+20,000
 Election Assistance Commission					
Salaries and expenses.....	16,530	16,679	18,559	+2,029	+1,880
Election reform programs.....	115,000	---	116,000	+1,000	+116,000
Election data collection grants.....	10,000	---	---	-10,000	---
Total, Election Assistance Commission.....	141,530	16,679	134,559	-6,971	+117,880

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Communications Commission					
Salaries and expenses.....	313,000	338,875	338,875	+25,875	---
Transfer from USF for OIG audits (by transfer).....	(21,480)	(25,480)	(25,480)	(+4,000)	---
Offsetting fee collections - current year.....	-312,000	-337,875	-337,875	-25,875	---
Direct appropriation.....	1,000	1,000	1,000	---	---
Federal Deposit Insurance Corporation: Office of Inspector General (by transfer).....	(26,848)	(27,495)	(27,495)	(+647)	---
Federal Election Commission.....	59,224	63,618	63,618	+4,394	---
Federal Labor Relations Authority.....	23,641	22,674	22,674	-967	---
Federal Trade Commission					
Salaries and expenses.....	243,864	256,200	259,200	+15,336	+3,000
Offsetting fee collections - current year.....	-139,000	-168,000	-168,000	-29,000	---
Offsetting fee collections, telephone database.....	-23,000	-19,300	-21,000	+2,000	-1,700
Direct appropriation.....	81,864	68,900	70,200	-11,664	+1,300
General Services Administration					
Federal Buildings Fund					
Appropriations.....	(83,964)	(525,000)	(308,712)	(+224,748)	(-216,288)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Limitations on availability of revenue:					
Construction and acquisition of facilities.....	306,448	620,119	453,831	+147,383	-166,288
Construction (emergency).....	225,000	---	---	-225,000	---
Repairs and alterations.....	722,161	692,374	692,374	-29,787	---
Installment acquisition payments.....	155,781	149,570	149,570	-6,211	---
Rental of space.....	4,315,534	4,692,156	4,642,156	+326,622	-50,000
Building operations.....	2,105,490	2,223,354	2,223,354	+117,864	---
Subtotal.....	7,830,414	8,377,573	8,161,285	+330,871	-216,288
Repayment of debt.....	50,804	56,865	56,865	+6,061	---
Rental income to fund.....	-7,916,272	-8,134,239	-8,134,239	-217,967	---
Total, Federal Buildings Fund.....	-35,054	300,199	83,911	+118,965	-216,288
Government-wide policy.....	52,891	56,578	56,215	+3,324	-363
Operating expenses.....	85,870	71,811	71,208	-14,662	-603
Office of Inspector General.....	48,382	54,000	51,800	+3,418	-2,200
Electronic Government Fund.....	3,000	5,000	---	-3,000	-5,000
Allowances and Office Staff for Former Presidents.....	2,478	2,934	2,934	+456	---
Expenses, Presidential transition.....	---	8,520	8,520	+8,520	---
Federal Citizen Information Center Fund.....	17,328	36,558	36,096	+18,768	-462
Total, General Services Administration.....	174,895	535,600	310,684	+135,789	-224,916

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Merit Systems Protection Board					
Salaries and expenses.....	37,507	38,811	38,811	+1,304	---
Limitation on administrative expenses.....	2,579	2,579	2,579	---	---
Total, Merit Systems Protection Board.....	40,086	41,390	41,390	+1,304	---
Morris K. Udall Foundation					
Morris K. Udall Trust Fund.....	3,750	100	3,750	---	+3,650
Environmental Dispute Resolution Fund.....	2,000	850	2,100	+100	+1,250
Total, Morris K. Udall Foundation.....	5,750	950	5,850	+100	+4,900
National Archives and Records Administration					
Operating expenses.....	315,000	327,783	330,000	+15,000	+2,217
Reduction of debt.....	-10,896	-11,842	-11,842	-946	---
Electronic records archive.....	58,028	67,008	67,008	+8,980	---
Repairs and restoration.....	28,605	9,211	26,711	-1,894	+17,500
National Historical Publications and Records Commission: Grants program.....	9,500	---	12,000	+2,500	+12,000
Total, National Archives and Records Admin.....	400,237	392,160	423,877	+23,640	+31,717

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Credit Union Administration					
Central liquidity facility:					
(Limitation on direct loans).....	(1,500,000)	(1,500,000)	(1,500,000)	---	---
(Limitation on admin expenses, corporate funds)...	(329)	(334)	(334)	(+5)	---
Community development credit union revolving loan fund	975	1,000	1,000	+25	---
Office of Government Ethics.....	11,750	13,000	13,000	+1,250	---
Office of Personnel Management					
Salaries and expenses.....	101,765	92,829	92,829	-8,936	---
Limitation on administrative expenses.....	123,901	118,082	118,082	-5,819	---
Office of Inspector General.....	1,519	1,538	1,538	+19	---
Limitation on administrative expenses.....	17,081	16,462	16,962	-119	+500
Govt Payment for Annuitants, Employees Health Benefits	8,884,000	9,533,000	9,533,000	+649,000	---
Govt Payment for Annuitants, Employee Life Insurance..	41,000	46,000	46,000	+5,000	---
Payment to Civil Svc Retirement and Disability Fund...	11,941,000	10,550,000	10,550,000	-1,391,000	---
Total, Office of Personnel Management.....	21,110,266	20,357,911	20,358,411	-751,855	+500
Office of Special Counsel.....	17,468	17,468	17,468	---	---
Postal Regulatory Commission.....	---	14,043	14,043	+14,043	---
Privacy and Civil Liberties Oversight Board.....	2,000	2,000	1,000	-1,000	-1,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Securities and Exchange Commission					
Salaries and expenses.....	906,000	913,000	928,000	+22,000	+15,000
Prior year unobligated balances.....	-63,262	-42,000	-48,644	+14,618	-6,644
Direct appropriation.....	842,738	871,000	879,356	+36,618	+8,356
Selective Service System.....	22,000	22,000	22,000	---	---
Small Business Administration					
Salaries and expenses.....	344,123	328,159	389,208	+45,085	+61,049
Office of Inspector General.....	15,000	15,500	16,000	+1,000	+500
Surety bond guarantees revolving fund.....	3,000	2,000	2,000	-1,000	---
Business Loans Program Account:					
Direct loans subsidy.....	2,000	---	2,500	+500	+2,500
Guaranteed loans subsidy.....	---	---	100,000	+100,000	+100,000
Administrative expenses.....	135,414	138,480	138,480	+3,066	---
Total, Business loans program account.....	137,414	138,480	240,980	+103,566	+102,500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Disaster Loans Program Account:					
Direct loans subsidy.....	---	14,301	---	---	-14,301
Administrative expenses.....	---	160,068	160,068	+160,068	---
Total, Disaster loans program account.....	---	174,369	160,068	+160,068	-14,301
Sec. 511. Salaries and expenses.....	69,451	---	72,018	+2,567	+72,018
Total, Small Business Administration.....	568,988	658,508	880,274	+311,286	+221,766
United States Postal Service					
Payment to the Postal Service Fund.....	29,000	---	29,000	---	+29,000
Advance appropriations.....	88,864	82,831	82,831	-6,033	---
Total, Payment to the Postal Service Fund.....	117,864	82,831	111,831	-6,033	+29,000
Office of Inspector General.....	---	239,356	239,356	+239,356	---
Total, United States Postal Service.....	117,864	322,187	351,187	+233,323	+29,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Tax Court.....	45,326	48,463	48,463	+3,137	---
Total, title V, Independent Agencies.....	23,747,602	23,550,551	23,760,054	+12,452	+209,503
Appropriations.....	(23,433,738)	(23,467,720)	(23,677,223)	(+243,485)	(+209,503)
(Mandatory).....	(20,866,000)	(20,129,000)	(20,129,000)	(-737,000)	---
(Discretionary).....	(2,567,738)	(3,338,720)	(3,548,223)	(+980,485)	(+209,503)
Emergency appropriations.....	(225,000)	---	---	(-225,000)	---
Advances.....	(88,864)	(82,831)	(82,831)	(-6,033)	---
(by transfer).....	(48,328)	(52,975)	(52,975)	(+4,647)	---
	=====	=====	=====	=====	=====
TITLE VI - GENERAL PROVISIONS, THIS ACT					
Sec. 624. Christopher Columbus Fellowship Foundation..	600	---	---	-600	---
Total, title VI, General Provisions, This Act.....	600	---	---	-600	---
	=====	=====	=====	=====	=====
Grand total.....	43,546,888	44,096,913	44,271,639	+724,751	+174,726
Appropriations.....	(42,941,714)	(44,014,082)	(44,188,808)	(+1,247,094)	(+174,726)
Emergency appropriations.....	(516,310)	---	---	(-516,310)	---
Advances.....	(88,864)	(82,831)	(82,831)	(-6,033)	---
(by transfer).....	(48,328)	(52,975)	(52,975)	(+4,647)	---
	=====	=====	=====	=====	=====
Discretionary total.....	20,599,000	22,237,274	22,390,000	+1,791,000	+152,726

ADDITIONAL VIEWS OF THE HONORABLE JERRY LEWIS
AND THE HONORABLE RALPH REGULA

We commend Chairman Serrano for the work he has done in chairing the new Financial Services and General Government Appropriations Subcommittee over the past two years. The subcommittee provides funding for a diverse number of agencies performing activities such as regulating the financial and telecommunications industries, collecting taxes and providing taxpayer assistance, providing capital to small businesses and disadvantaged communities, supporting the operations of the White House and Federal Judiciary, providing Federal payments to the District of Columbia, operating and maintaining Federal buildings, managing the Federal workforce, assisting in the administration of Federal elections, and protecting consumers and investors. While we do not agree on every issue, we appreciate Chairman Serrano's openness to our ideas, as well as his commitment to bipartisanship and regular order.

The allocation for the Financial Services and General Government Appropriations Bill provides \$22,390,000,000 in discretionary budget authority, which is \$152,726,000 above the President's budget request, and \$1,791,000,000 above fiscal year 2008, excluding one-time emergency appropriations. This represents an 8.7 percent increase in non-emergency discretionary appropriations over the current year. This is a very generous allocation which allows most agencies in the bill to be funded at or above the President's budget request. We believe the resource requirements of the agencies funded in this bill can be met with a smaller allocation but the Chairman has done a reasonable job given the allocation he was provided.

While we are appreciative that the bill provides funding above the request for critical programs such as High Intensity Drug Trafficking Areas, Small Business Development Centers, the Taxpayer Advocate Service, and financial education programs, we believe that the bill contains unnecessary spending levels for several programs including Election Reform Programs and 7(a) business loan subsidies.

ELECTION REFORM PROGRAMS

The bill includes \$110,000,000 for the Election Assistance Commission to provide grants to States to improve their voting systems. While the Help America Vote Act of 2002 authorized \$3.9 billion for grants to States to improve their voting systems, no funding is authorized to be appropriated for this purpose in 2009. This program was intended to provide grants to States to upgrade their voting systems through 2005, not to provide Federal funding for election administration on an annual basis. In addition, it should be noted that the Election Assistance Commission has reported to the

Committee that at the end of 2007 the States had more than \$1.1 billion in available balances from prior year appropriations.

7(a) BUSINESS LOAN SUBSIDIES

This bill provides \$100,000,000 to subsidize 7(a) business loans. We appreciate that funds are included to implement fee reductions for veterans' participation in the 7(a) business loan program as authorized by the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2008. The Small Business Administration (SBA) estimates that the cost of this veterans' program will be approximately \$13,400,000. This leaves \$86,600,000 available to subsidize the non-veteran 7(a) business loans. It should be noted that the 7(a) program has been operating without a subsidy appropriation since the beginning of fiscal year 2005 with two of those years being record breaking years for lending volume. Past practice has proven that subsidies limit access to SBA loans if demand for loans exceeds the availability of appropriations. In many past years, SBA has been forced to temporarily shut the program down or impose loan limits in order to live within available appropriations. In prior testimony before the Committee, the SBA Administrator testified that "With the zero subsidy operation in place the program has been able to expand without the threat of a shut down. Zero subsidy is good stewardship of taxpayers' money while creating a more stable loan program for small business." It is irresponsible during times of budget deficits for Congress to provide appropriations to programs that do not need Federal funding. While we are supportive of funding for the new veterans program, other 7(a) business loans do not warrant the Federal subsidies.

OFFICE OF PERSONNEL MANAGEMENT

We appreciate that the bill fully funds the Administration's request for the Office of Personnel Management (OPM). The Committee understands that 60 percent of the Federal workforce will be eligible to retire in the next 10 years presenting an enormous challenge to the Federal government and the delivery of services to the public. The Committee appreciates that OPM is diligently working with Federal agencies to address this challenge including: establishing agency succession plans; participating in university and college job fairs and recruitment efforts; and increasing available management and leadership training to develop the Federal government's future executives.

We look forward to continuing to work with the Chairman and OPM to ensure that the Federal government is prepared to address this retirement wave and to encourage young people to work in government.

EDUCATION IN THE DISTRICT OF COLUMBIA

We are responsible for helping the District live up to its promise as "the shining city on the hill" as President Reagan once said. The best way we can do that is by supporting the \$74 million requested by the President and provided in this bill for education programs in the District of Columbia. This includes the three sector approach endorsed by both Mayor Fenty and City Council Chairman Grey,

which is composed of funding for public schools, public charters and opportunity scholarships. However, of the \$74 million provided, we are extremely disappointed that bill does not provide the \$3.2 million increase for Opportunity Scholarships requested by the President, the Mayor and the City Council. It is also unfortunate that the bill does not provide an increase in the scholarship amount for high school students to \$12,000 as requested. In a letter to the Committee dated March 14, 2008, Mayor Fenty expressed his support for the President's request and stated the increase in high school tuition scholarships is "necessary to ensure that scholarships reflect the actual tuition expenses of students currently in the program".

CONTROVERSIAL POLICY RIDERS

Finally, we are also concerned that the bill includes several controversial authorization policy changes that have the potential to delay enactment of this bill. One of particular concern is language prohibiting the implementation of new media ownership rules adopted by the Federal Communications Commission (FCC). These new FCC rules are modest in reach and further the public's interest by providing greater financial flexibility to newspaper and broadcast outlets struggling in today's ultra-competitive media market. This and other controversial riders should be dealt with by the appropriate committees of jurisdiction and their inclusion will only lead to the delay in the provision of funding to important agencies funded by the Act.

JERRY LEWIS.
RALPH REGULA.

